

EXHIBIT A

Hoang, Huong

July 26, 2012

Page 1

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

Huong Hoang,)
Plaintiff,)
vs.) No. 2:11-CV-01709-MJP
Amazon.com, Inc., et al.,)
Defendants.)

PURSUANT TO PROTECTIVE ORDER, PORTIONS OF THIS
TRANSCRIPT DESIGNATED ATTORNEYS EYES ONLY
and CONFIDENTIAL (SEE INDEX PAGE)

VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION
OF
HUONG HOANG, Volume 1

9:04 a.m.

July 26, 2012

1201 Third Ave

Seattle, Washington

Margaret Walkky, CCR, RPR, RMR, CRR
Court Reporter, License No. 2540

Hoang, Huong

July 26, 2012

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1

A P P E A R A N C E S

2

3 For Plaintiff: DOV M. SZEGO
4 JOHN W. DOZIER, JR.
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7 Suite 101
8 Glen Allen, Virginia 23059
9 804-346-9770
10 dov@cybertriallawyer.com

11

12 For Defendants: BREENA M. ROOS
13 ASHLEY A. LOCKE
14 Perkins Coie
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16 Seattle, Washington 98101
17 206-359-8000
18 broos@perkinscoie.com

19

20 Also Present: Charles Wright, Amazon
21 Patrick Norton,
22 Videographer

23

24

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I N D E X

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3 EXAMINATION

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4 By Ms. Roos

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6 EXHIBIT

DESCRIPTION

PAGE

7 1 Plaintiff's third supplemental

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8 objections and responses, CONFIDENTIAL

9 2 IMDbPro Junie Hoang: Main details,

35

10 CONFIDENTIAL

11 3 Facebook, Robert Pafundi, CONFIDENTIAL

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12 4 Email to **FILED UNDER SEAL** from

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13 **FILED UNDER SEAL**, CONFIDENTIAL

14 5 Email to Marr from Lewine, 1-26-12,

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15 CONFIDENTIAL

16 6 System log, 4-27-12, CONFIDENTIAL

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17 7 IMDbPro subscriber agreement, 5-18-12

130

18 8 Second amended complaint for damages

141

19 and injunctive relief with jury demand

20 9 Copy of Texas driver's license and

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21 passport, AEO

22 10 Birth certificate, AEO

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23 11 Email to IMDb from Hoang, 9-9-08,

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24 CONFIDENTIAL

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1 . THE VIDEOGRAPHER: We are on the record.

2 My name is Patrick Norton. I'm a video technician
3 contracted by Seattle Deposition Reporters located in
4 suite 320, One Union Square, 600 University Street,
5 Seattle, Washington.

6 This is the videotaped deposition of Huong
7 Hoang in the matter of Huong Hoang versus Amazon.com,
8 et al, number 2:11-CV-01709-MJP in the United States
9 District Court, Western District of Washington at
10 Seattle. Today's date is July 26th, 2012. The time is
11 now 9:04 a.m. This deposition is being taken at 1201
12 Third Avenue, Seattle, Washington and was noticed by
13 defendant.

14 Counsel, please introduce yourselves and
15 state whom you represent.

16 MS. ROOS: Breena Roos from Perkins Coie
17 representing defendants Amazon.com, Inc. and IMDb.com.
18 Inc.

19 MS. LOCKE: Ashley Locke from Perkins Coie
20 representing defendants as well.

21 MR. WRIGHT: Charles Wright from
22 Amazon.com.

23 MR. DOZIER: John Dozier from Dozier
24 Internet Law representing the plaintiff.

25 MR. SZEGO: Dov Szego from Dozier Internet

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1 . Law also representing the plaintiff.

2 THE VIDEOGRAPHER: Margaret Walkky is the
3 court reporter. Would the reporter please swear in the
4 witness.

5

6 Whereupon,

7 HUONG HOANG,

8 having been first duly sworn, was called as a witness
9 herein and was examined and testified as follows:

10

11 E X A M I N A T I O N

12 BY MS. ROOS:

13 Q. Ms. Hoang, could you please state your
14 full name for the record?

15 A. Huong Hoang.

16 (Following material designated
17 ATTORNEYS EYES ONLY.)

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1 . BY MS. ROOS:

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Page 25

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2 ATTORNEYS EYES ONLY.)

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Exhibit A, Page 11

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1 . BY MS. ROOS:

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4 (End of ATTORNEYS EYES ONLY material.)

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1 . MS. ROOS: Patrick and Margaret have not
2 yet signed it, but they will do so today. As I said
3 before we started, my assistant is on her way up with
4 copies.

5 MR. SZEGO: All right. I will note for
6 the record then for future purposes, we're going into
7 things that address the protective order in the event
8 that you attempt to use the deposition for other
9 purposes in the future. Go ahead.

10 Q. Ms. Hoang, you've been handed what's been
11 marked as Exhibit-1. Have you seen this document
12 before?

13 A. Yes, I looked over it briefly.

14 Q. Okay, and for the record, it is
15 plaintiff's third supplemental objections and responses
16 to defendants' interrogatories and requests for
17 production to plaintiff.

18 A. Uh-huh.

19 Q. I'm going to ask you to turn to page 11.
20 Interrogatory No. 8 asks you to identify any and all
21 casting directors, producers, directors and
22 agents/managers that have directly worked with you in a
23 professional capacity, and you have listed four
24 individuals; is that right?

25 A. Yes.

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Page 32

1 . BY MS. ROOS:

2 Q. What does a print agent do?

3 A. They find auditions and jobs for you in
4 the area of commercial print.

5 Q. So that would be photo shoots and similar?

6 A. Pictures.

7 Q. Pictures?

8 A. Commercial.

9 (Following material designated

10 CONFIDENTIAL.)

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1 . BY MS. ROOS:

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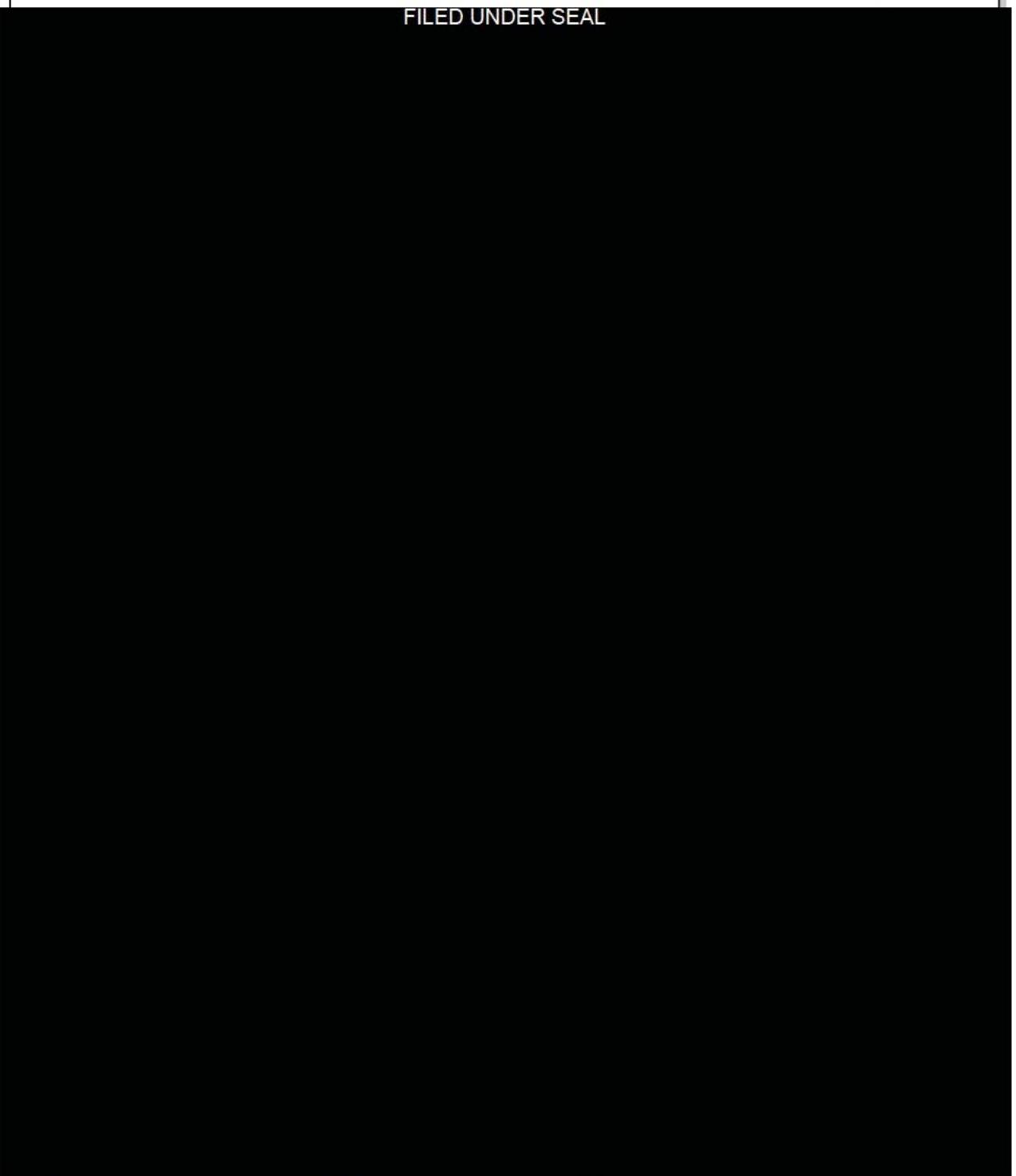
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(End of CONFIDENTIAL material.)

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1 . BY MS. ROOS:

2 Q. Any other agents?

3 A. Right now, they don't come to mind.

4 (Exhibit-2 marked.)

5 Q. So you've been handed what's been marked
6 as Exhibit-2.

7 A. Oh, I have two different. Is this
8 supposed to be like that?

9 Q. They're one exhibit together.

10 A. Oh, okay.

11 Q. So you can keep them together.

12 A. Okay.

13 Q. Have you seen this before?

14 A. Yes.

15 Q. And it's a profile for Junie Hoang on
16 IMDbPro?

17 A. Yes.

18 Q. Who is Junie Hoang?

19 A. That is my stage name, acting persona.

20 Q. So this is your acting profile on IMDbPro?

21 A. Yes.

22 Q. If you can turn to the page that lists
23 your representation.

24 A. Uh-huh.

25 Q. And here it lists Ms. Walsh,

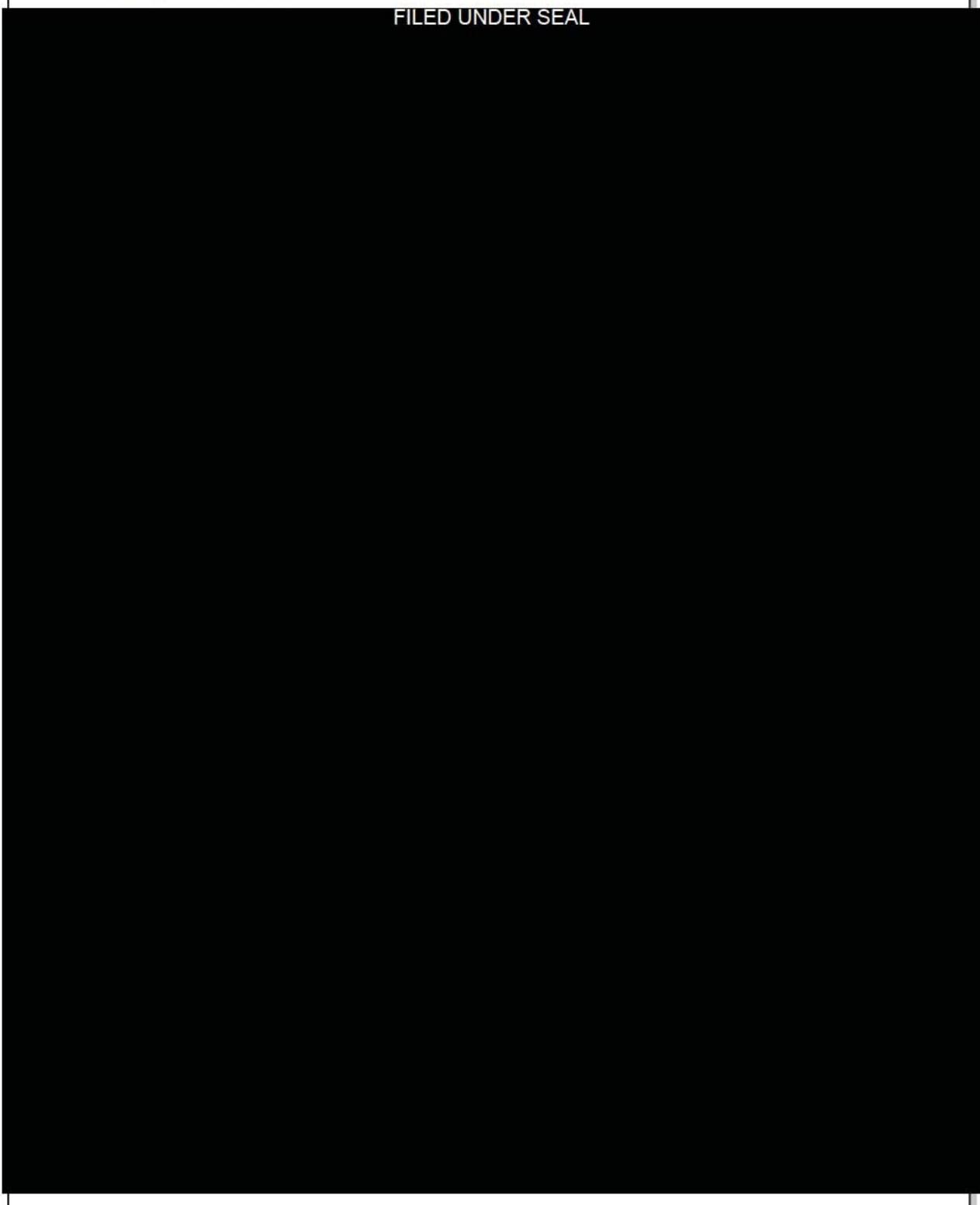
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1 . BY MS. ROOS:

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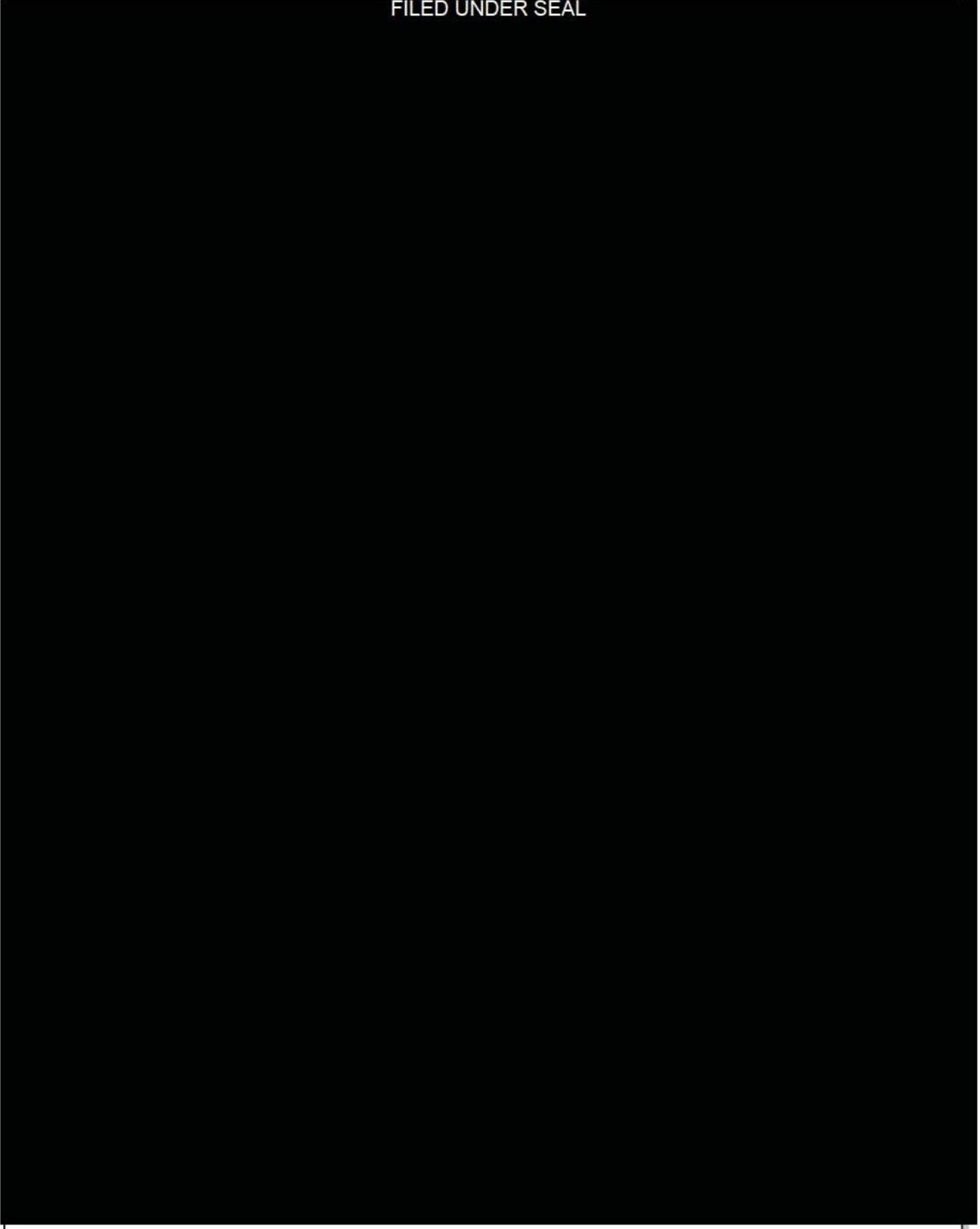


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1 . BY MS. ROOS:

2 Q. Okay. I'm going to ask you to look at
3 Exhibit-2 again and ask you about, if you could look at
4 the first page. I want to go through your
5 filmography --

6 A. Okay.

7 Q. -- and ask you about specific, specific
8 items. First, you mentioned at the outset that you had
9 just finished working on a film called Pretty Perfect?

10 A. Yes.

11 (Following material designated
12 CONFIDENTIAL.)

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1 . BY MS. ROOS:

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Exhibit A, Page 21

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1 . BY MS. ROOS:

2 Q. I'm going to ask you to turn back to --
3 actually, no.

4 Let's go back to Exhibit-2. Looking at
5 the first item on the list, Dysfunctional Friends?

6 A. What is Dysfunctional Friends, you mean?

7 Q. What type of a production is it, is it a
8 movie?

9 A. It's a film.

10 Q. And what was your role?

11 A. I played an assistant.

12 Q. An assistant. Was that Star, was that the
13 name of the character?

14 A. Yes.

15 (Following material designated
16 CONFIDENTIAL.)

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1 . BY MS. ROOS:

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Exhibit A, Page 23

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1 . BY MS. ROOS:

2 Q. You worked on --

3 A. Gingerdead Man 2.

4 Q. In the past?

5 A. Yes. Don't forget that one.

6 Q. When did you film Gingerdead Man 3?

7 A. I believe that was filmed -- it came out
8 in 2011, so I believe it filmed that same year, or it
9 could have been filmed in October of 2010.

10 Q. I'm going to move a little bit down. A

11 Gang Land Love Story, is that also a film?

12 A. Yes.

13 Q. What role did you play on that film?

14 A. I played an assassin.

15 (Following material designated

16 CONFIDENTIAL.)

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1 . BY MS. ROOS:

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8 (End of CONFIDENTIAL material.)

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1 . BY MS. ROOS:

2 Q. I'm going to ask you to go back to
3 Exhibit-1, on page 12. Interrogatory number 11 asks
4 you to identify all unions other acting organizations
5 in which you are a member.

6 A. Yes.

7 Q. Your response is you're not currently a
8 member of any unions or acting organizations but you're
9 SAG-AFTRA eligible; is that right?

10 A. Yes.

11 Q. Can you explain what that means, SAG-AFTRA
12 eligible?

13 A. That means that you've met their
14 eligibility requirements to join the union.

15 Q. So just to make clear, is SAG-AFTRA the
16 Screen Actors Guild and American Federation of
17 Television and Radio Artists?

18 A. Yes.

19 Q. So that's an actors union?

20 A. Yes.

21 Q. How does one become eligible for the
22 actors union?

23 A. You have to get -- I'm not sure what their
24 eligibility is right now, but I believe you have to get
25 a speaking credit in a union production or you can work

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1 . BY MS. ROOS:

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(End of CONFIDENTIAL material.)

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Exhibit A, Page 27

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1 . BY MS. ROOS:

2 Q. Okay. Are there any other email accounts
3 that we haven't already discussed today that you use in
4 any way?

5 A. That belong to me, no.

6 (Following material designated
7 CONFIDENTIAL.)

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20 (End of CONFIDENTIAL material.)
21 (Following material designated
22 ATTORNEYS EYES ONLY.)
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4 (End of ATTORNEYS EYES ONLY material.)

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2 CONFIDENTIAL.)
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1 . BY MS. ROOS:

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16 (End of CONFIDENTIAL material.)

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1 . (Following material designated

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4 (End of ATTORNEYS EYES ONLY material.)

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2 CONFIDENTIAL.)
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1 . BY MS. ROOS:

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1 . BY MS. ROOS:

2 Q. Now I'm going to ask you to look a little
3 bit further down the page to request number 7, which
4 asks for all state and federal tax returns that you
5 filed with the United States IRS or any other state for
6 the past six years. When we spoke earlier about your
7 document practices, you said you keep financial records
8 relating to your acting career for tax purposes?

9 A. Yes.

10 Q. And you keep those for the last three
11 years?

12 A. Yes.

13 Q. Where are they stored?

14 A. The tax forms?

15 Q. Yes.

16 A. I have them on hardcopy, going back the
17 past three years.

18 Q. You said you also keep pay stubs?

19 A. Well, only if it pertains to that tax
20 year.

21 (Following material designated
22 ATTORNEYS EYES ONLY.)

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1 . BY MS. ROOS:

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1 . BY MS. ROOS:

2 Q. Did you look through any electronic files
3 on your laptop for documents that identify you as Junie
4 Hoang?

5 A. Well, those documents I've produced like
6 my resume.

7 Q. Okay. I'm going to switch gears a little
8 bit. So you're familiar with IMDb.com, correct?

9 A. Yes.

10 (Following material designated
11 CONFIDENTIAL.)

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BY MS. ROOS:

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(End of CONFIDENTIAL material.)

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Exhibit A, Page 41

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1 . BY MS. ROOS:

2 Q. Why did you start using IMDb?

3 A. Because it's the bible of the industry.

4 It's the number one reference tool.

5 Q. And how did you start using it? You said
6 you started adding information?

7 A. Yes, to my profile.

8 Q. Things like acting credits?

9 A. Uh-huh, yes.

10 Q. Are you familiar with IMDbPro?

11 A. Yes.

12 (Following material designated
13 CONFIDENTIAL.)

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Page 121

1 . (Exhibit-6 marked.)

2 BY MS. ROOS:

3 Q. You have been handed what's been marked as
4 Exhibit-6.

5 A. Uh-huh.

6 Q. Have you seen this document before?

7 A. No.

8 Q. So let's walk through it.

9 A. Okay.

10 Q. It's a system log?

11 MR. SZEGO: Objection, foundation. Go
12 ahead.

13 Q. And at the top it says for Huong Hoang?

14 A. Yes.

15 (Following material designated

16 CONFIDENTIAL.)

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12 (End of CONFIDENTIAL material.)
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Page 123

1 . BY MS. ROOS:

2 Q. Yes.

3 A. Yes.

4 Q. Does that refresh your recollection about
5 when you subscribed to IMDbPro?

6 A. I believe that was a two-week trial
7 period.

8 Q. Okay, and you used it for two weeks?

9 A. Yes.

10 Q. And then what happened?

11 A. Then I didn't want the service so I never
12 subscribed.

13 Q. Then did you ever subscribe again?

14 A. For the annual subscription?

15 (Following material designated

16 CONFIDENTIAL.)

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Exhibit A, Page 45

Hoang, Huong

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Page 124

1 . BY MS. ROOS:

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(End of CONFIDENTIAL material.)

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Exhibit A, Page 46

Hoang, Huong

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1 . BY MS. ROOS:

2 Q. Okay. So IMDb charged you before that for
3 different services on IMDb?

4 A. For like to put an individual picture up
5 or for like a resume or something.

6 Q. When you eventually did decide to sign up
7 for an annual subscription of IMDbPro, why did you
8 decide to do that?

9 A. Because it allowed me to see more
10 information that was on the website.

11 Q. What type of information?

12 A. Who is represented by what agency.

13 Q. How is that useful to you in your career?

14 A. Because when you work with other actors,
15 when you're submitting for producers, you can see who
16 represents them. It's a way to contact them.

17 Q. Do you use IMDbPro for any other purpose?

18 A. Usually -- no, most of the time it's to
19 look up people's representation, plus you can get
20 access to the star meter ranking.

21 Q. What's the star meter ranking?

22 A. It just ranks everyone in the
23 entertainment business as far as how many searches
24 people have done on a particular person.

25 Q. How is that useful?

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Page 132

1 . BY MS. ROOS:

2 Q. Did you read any other documents on IMDb
3 before signing up for IMDbPro for your annual
4 subscription?

5 A. I did on Amazon's --

6 Q. I'm sorry, you looked on --

7 A. -- privacy.

8 Q. You looked at Amazon?

9 A. Because I actually used Amazon before I
10 used IMDb.

11 Q. Did you look at anything else on IMDb's
12 website?

13 A. Just their subscriber agreement and their
14 policy.

15 Q. When you say "their policy," you mean the
16 privacy policy?

17 A. Privacy policy.

18 Q. And then you mentioned you looked at
19 Amazon's?

20 A. Yes, briefly Amazon's.

21 (Following material designated
22 CONFIDENTIAL.)

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8 (End of CONFIDENTIAL material.)

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Exhibit A, Page 49

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1 . BY MS. ROOS:

2 Q. Was that in relation to a purchase on
3 Amazon?

4 A. A couple of purchases.

5 Q. Okay. So we've spoken a little bit about
6 the name Junie Hoang and you used that in your acting
7 career?

8 A. Yes.

9 Q. How long have you used that name?

10 A. It's a nickname.

11 Q. How long have you gone by the nickname
12 Junie?

13 A. My dad always gave it to me as a pet name.

14 Q. When you were growing up?

15 A. Uh-huh.

16 Q. When did you start using that name as a
17 stage name in your acting career?

18 A. Always.

19 Q. Did you go by Junie when you were in
20 college?

21 A. Yes.

22 Q. If someone were to go back to Texas A&M
23 and look at your college transcript or your degree,
24 your diploma, which name would it have on it?

25 A. My legal name.

Hoang, Huong

July 26, 2012

Page 135

1 . Q. It would have your legal name, but your
2 friends and whoever called you Junie?

3 A. Yes.

4 Q. Why do you use Junie in relation to your
5 acting career?

6 A. For privacy reasons.

7 Q. Any other reasons?

8 A. It's easier to say.

9 Q. Any other reasons?

10 A. Easier to pronounce, easier to spell, more
11 Americanized.

12 Q. Any other reasons?

13 A. Basically those are the main ones.

14 Q. So who knows your legal name? I mean,
15 your parents probably?

16 A. Probably, yeah.

17 Q. Other people in your family?

18 A. Family, very, very close friends.

19 Q. When you say "close friends," how many
20 friends know your legal name?

21 A. Friends of the family, not many people.

22 Q. About how many?

23 A. Oh, I'd say --

24 MR. SZEGO: I'm going to object to the
25 form in that it calls for a guess or speculation. Go

Hoang, Huong

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1 ahead and answer.

2 Q. Go ahead and answer.

3 A. Five maybe.

4 Q. Who are those five?

5 A. My previous attorney.

6 Q. You're referring to Jalene Mack?

7 A. Yes.

8 Q. Who else?

9 A. Greg.

10 Q. That's Greg Carter?

11 A. Yes.

12 (Following material designated

13 CONFIDENTIAL.)

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Hoang, Huong

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Page 143

1 . BY MS. ROOS:

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4 (End of ATTORNEYS EYES ONLY material.)

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Exhibit A, Page 53

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1 . (Exhibit-9 marked.)

2 BY MS. ROOS:

3 Q. You've been handed what's been marked as

4 Exhibit-9. Do you recognize this document?

5 A. Yes.

6 Q. What is it?

7 A. My driver's license and my passport.

8 Q. Photocopies?

9 A. Yes.

10 Q. Let's start with at the top of the page,
11 your driver's license. Is this your current driver's
12 license?

13 A. Yes.

14 (Following material designated
15 ATTORNEYS EYES ONLY.)

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Hoang, Huong

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1 BY MS. ROOS:

2 Q. When did you obtain this driver's license?

3 A. When did I first get it? I'm sure I've
4 had it for a couple of years.

5 Q. How did you obtain it?

6 MR. SZEGO: I'm going to object to form,
7 ambiguous.

8 Q. Go ahead and answer.

9 A. Through DPS, Department of Public Safety.

10 Q. So it's a government-issued document?

11 A. Yes.

12 Q. Then looking at the passport below it, the
13 passport also identifies you as Huong Hoang?

14 A. Yes.

15 Q. And I apologize if I'm saying that
16 incorrectly.

17 A. It's okay. That's why I'm called Junie.

18 (Following material designated

19 ATTORNEYS EYES ONLY.)

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Exhibit A, Page 55

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1 . BY MS. ROOS:

2 Q. Do you have any other forms of
3 government-issued identification?

4 A. These are the two that I have in my
5 possession.

6 Q. Do you know of any others that are not in
7 your possession?

8 A. I'm sure my mom has my citizenship.

9 Q. Any others?

10 A. Citizenship, maybe voter registration, but
11 I don't know if that counts.

12 (Exhibit-10 marked.)

13 Q. So you've been handed what's been marked
14 as Exhibit-10. Do you recognize this document?

15 A. Yes.

16 Q. What is it?

17 A. My birth certificate.

18 Q. It looks like it's in a foreign language.
19 Is that Vietnamese?

20 A. Yes.

21 Q. I don't speak Vietnamese. You speak
22 Vietnam, correct, or read?

23 A. Borderline.

24 Q. Can you read --

25 A. I can try.

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1 . Q. Can you read this document?

2 A. Which part?

3 Q. Any of it.

4 A. You want me to start in the box?

5 Q. Sure, why don't you start at the top
6 left-hand corner.

7 A. Do you want me to just translate or
8 actually read it? Because my reading is not very good.

9 Q. If you could translate what you can and
10 tell us what you can't translate.

11 A. "Vietnam, Saigon."

12 "Quan: BA," I don't know what that
13 means.

14 "So hieu," I think that may mean, "So
15 hieu," maybe the number of the birth certificate.

16 Q. Okay. And then moving to the box?

17 A. Then "Ten ho dua tre," name of the child.

18 Q. And then it looks like it names --

19 A. "Con trai hay con gai," my reading is not
20 that good. "Con trai hay con gai" means girl or boy.

21 Q. And then what does it say after girl or
22 boy?

23 A. Girl.

24 Q. Okay.

25 A. "Ngay sanh" which means birthdate.

Hoang, Huong

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Page 154

1 . Q. And then what does it say after that?

2 A. Below it?

3 Q. No, to the right.

4 A. Across?

5 (Following material designated

6 ATTORNEYS EYES ONLY.)

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Hoang, Huong

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Page 155

1 . BY MS. ROOS:

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16 (End of ATTORNEYS EYES ONLY material.)

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Exhibit A, Page 59

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1 . BY MS. ROOS:

2 Q. But your original does have a year?

3 A. Yes.

4 Q. Did you produce an original or a version
5 of your original with the year?

6 A. I think I may have provided it. I don't
7 remember if I provided that one or this one.

8 Q. Okay. Let's move on to the next box.

9 A. Okay. Where you were born, Saigon. Then
10 "ten ho nguoi cha," that's my dad's name, and then
11 "ten ho nguoi me," that's my mom's name.

12 Q. Just to be clear, the Vietnamese words say
13 mother's name and then next to it is your mother's
14 name?

15 A. Uh-huh.

16 Q. Okay. The next box?

17 A. I don't know what that part means.

18 Q. Okay. The last line in the box, do you
19 know what that means?

20 A. "Ten ho nguoi dung khai." Oh, I think the
21 person that stands in for something. "Ten ho nguoi
22 dung khai," maybe it's a witness or something, I don't
23 know that part.

24 Q. Okay.

25 A. Oh, and then the date of when they did the

Hoang, Huong

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1 . BY MS. ROOS:

2 Q. So I want to go back and talk about, you
3 know, the various people who prior to January 2012 knew
4 how old you were, and I believe you had mentioned
5 George Young, Greg Carter. Anyone else?

6 A. Knew how old I was? Maybe friends that
7 might have known me --

8 Q. Such as --

9 A. -- before --

10 MR. SZEGO: I'm going to object, asked and
11 answered.

12 Q. What other friends knew your age?

13 MR. SZEGO: Same objection.

14 A. Not that many.

15 Q. Can you name any others?

16 A. None that comes to mind right now.

17 (Following material designated

18 CONFIDENTIAL.)

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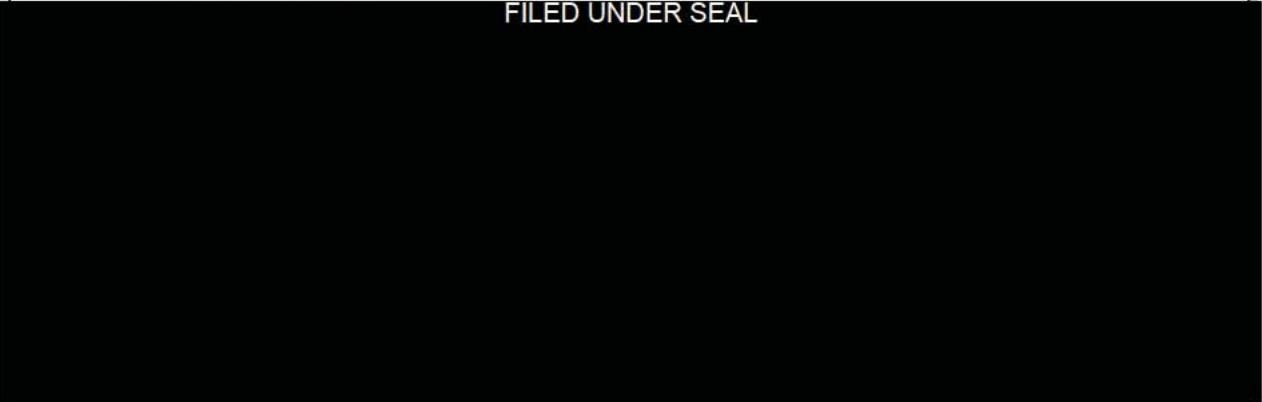
Hoang, Huong

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Page 173

1 . BY MS. ROOS:

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8 (End of CONFIDENTIAL material.)

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Exhibit A, Page 62

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1 . refrain from speaking objections. Please just note
2 your objection on the record.

3 Q. Go ahead and answer.

4 A. Could you repeat the question?

5 MS. ROOS: Could you read the question
6 back, please.

7 (Record read as follows:

8 "Question: Do you recall telling
9 Mr. Carter your age at any point prior to January
10 2012?")

11 A. Yes.

12 (Following material designated
13 CONFIDENTIAL.)

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1 . BY MS. ROOS:

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(End of CONFIDENTIAL material.)

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Exhibit A, Page 64

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1 . BY MS. ROOS:

2 Q. In what context did you tell him your age?

3 A. Just in conversation.

4 Q. Did he ask what your age was?

5 A. I don't remember if he asked.

6 Q. What were you talking about at the time?

7 A. I think we were talking about the film
8 itself.

9 Q. What film was that?

10 A. The Fifth Ward film.

11 Q. The Fifth Ward. So it was when you were
12 working on the Fifth Ward that you told him your age?

13 A. It might have been after.

14 Q. Do you recall how long after it might have
15 been?

16 A. No.

17 (Following material designated

18 ATTORNEYS EYES ONLY.)

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Hoang, Huong

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Page 192

1 A. Before I came out.

2 Q. Before you named yourself in the lawsuit?

3 A. Yes.

4 Q. Did you initiate that conversation as
5 well?

6 A. Yes.

7 Q. What did you discuss with him?

8 A. Just his advice on whether or not I should
9 come out.

10 Q. What did he say?

11 A. That it was my choice.

12 Q. Anything else?

13 A. I mean, it's a decision I had to make. No
14 one else could make it for me.

15 MS. ROOS: I'm going to suggest that we
16 break for lunch, and so we can go off the record.

17 THE VIDEOGRAPHER: We're going off the
18 record. The time is 11:49 a.m.

19 (Lunch recess 11:49 a.m. to 1:08 p.m.)

20 THE VIDEOGRAPHER: We're back on the
21 record. The time is 1:08 p.m.

22 BY MS. ROOS:

23 Q. Ms. Hoang, I'd like you to go to what's
24 been marked as Exhibit-8 to your deposition, which is
25 the second amended complaint in this case.

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1 A. Yes.

2 Q. If you could turn to paragraph 30. So
3 paragraph 30 says that, "Defendants' actions have had a
4 double-whammy effect on plaintiff's livelihood," and as
5 the first reason it lists, "because lesser known
6 40-year-old actresses are not in demand in the
7 entertainment business, plaintiff has suffered a
8 substantial decrease in acting credits, employment
9 opportunities and earnings since defendants' addition
10 of the plaintiff's legal date of birth to the Internet
11 Movie Database."

12 What credits and opportunities have you
13 missed out on?

14 A. For roles that are for younger or --

15 Q. As stated in this first reason. You can
16 take your time to read it if you need to.

17 A. Okay, give me one second.

18 Okay.

19 Q. What credits and opportunities have you
20 missed out on?

21 A. Well, there's lesser roles for women as
22 they get older.

23 Q. Specifically what films or television
24 shows have you missed out on?

25 A. If I don't get cast, they -- you just

Hoang, Huong

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1 . don't get cast. They're not going to put in writing
2 why you didn't get cast.

3 Q. Can you name any specific film or
4 television show that you have not gotten because IMDb
5 posted your date of birth?

6 A. I was not able to get someone to put in
7 writing that I didn't get a job because of my age.

8 Q. If you could please answer yes or no. Can
9 you name any specific film or television show that you
10 have not gotten a role in because IMDb has posted your
11 date of birth?

12 A. There was one that I was told.

13 Q. Ms. Hoang, can you please answer yes or
14 no. Can you name any specific television show or movie
15 that you have not received a role in because IMDb
16 posted your date of birth?

17 A. Yes.

18 Q. What is that?

19 A. There was one that was for a film and I
20 believe the film was called Consequences, and I was
21 originally cast. And from my head shot and resume,
22 they casted me, and when he went to my IMDb page he
23 said that I was too old.

24 Q. Did you audition for this role?

25 A. No.

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1 . Q. How did you get cast in this role?

2 A. I was referred to the job.

3 Q. Who referred you?

4 A. Greg Carter referred me.

5 Q. When were you cast?

6 A. It was back in I believe 2009.

7 Q. And you submitted your head shot and

8 resume?

9 A. Well, they passed it on to the casting.

10 Q. Who is "they"?

11 A. Swavet and Greg.

12 Q. Who is Swavet?

13 A. She also was a part of our production

14 team.

15 Q. And what's her full name?

16 A. Swavet Williams.

17 Q. Who was the director?

18 A. I don't recall the name of the director.

19 I don't remember his name.

20 Q. Do you recall the casting director?

21 A. I think it was RNB something. I don't

22 remember.

23 Q. How did you find out you were cast?

24 A. They told me I was cast and then when they

25 didn't cast me, they didn't initially tell me why I

Hoang, Huong

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1 . wasn't cast.

2 Q. Who told you you were cast?

3 A. Greg and Swavet said I was cast.

4 Q. And then who told you you weren't cast?

5 A. They did.

6 Q. Were Greg and Swavet a part of the
7 production?

8 A. Uh-huh.

9 Q. Was this a Nexus, was it -- am I getting
10 the name right?

11 A. That's it.

12 Q. Was this a Nexus production?

13 A. Yes.

14 Q. So what did Greg and Swavet tell you?

15 A. They just didn't want my feelings hurt so
16 they just told me that I didn't get it, but they didn't
17 say why initially.

18 Q. Were you later told more information about
19 why?

20 A. They told me down the line that it was
21 because of my age.

22 Q. Greg and Swavet did?

23 A. Yes. Well, Greg did. Swavet passed away.

24 Q. So Greg told you. When did Greg tell you?

25 A. I don't remember the exact year. It

Hoang, Huong

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1 . was -- I don't recall the exact year.

2 Q. How long after finding out you didn't get
3 the role did Greg tell you?

4 A. Maybe -- I mean, I would be guessing, two
5 years maybe or it could have been a year later, I don't
6 know.

7 Q. Was this an in-person conversation?

8 MR. SZEGO: I'm going to object to
9 materiality at this point. We've got a stipulation
10 that we're not going to call him as a witness and his
11 testimony isn't admissible for any purpose.

12 Q. Go ahead.

13 A. What was --

14 Q. Was this an in-person conversation?

15 A. I believe so. It could have been on the
16 phone, I don't remember.

17 Q. Do you remember how, the reason that you
18 were not called or were not eventually cast for this
19 role came up?

20 A. I don't remember exactly how it came up.
21 It must have been some previous conversation that had
22 something to do with, I don't know. I can't recall the
23 details.

24 Q. What specifically did Greg tell you about
25 why you weren't cast when he eventually told you that

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1 . it was because you were too old?

2 A. Originally he just said that, I think he
3 said they went with someone else, or I don't know how
4 he explained away that I didn't get cast, but it wasn't
5 until later that he said it was because of my age.

6 Q. What else did he say other than it was
7 because of your age?

8 A. They just looked up my profile and they
9 saw that I was really -- how old I was and they said I
10 was too old to play that part.

11 Q. Who is "they"?

12 A. The people who were doing the film.

13 Q. Do you know who that was?

14 A. I don't have the exact name. I believe it
15 was R, some initials, RNB or R -- I think it was RNB.

16 Q. Was Greg involved in the casting role to
17 your knowledge?

18 A. No, he was just trying to help me get a
19 part.

20 Q. So he wasn't involved with the casting
21 decision?

22 A. No.

23 Q. Greg knew your age at the time that he
24 passed on your information, right?

25 A. Yes.

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1 MR. SZEGO: Objection, leading.

2 Q. When Greg told you you didn't get hired
3 because of the age, your age, was it before or after
4 you filed this lawsuit?

5 A. Before.

6 Q. Do you know of any other specific
7 television shows or films that you have not received
8 because IMDb posted your birthdate on your profile?

9 A. Going the other direction, yes.

10 Q. What do you mean "going the other
11 direction"?

12 A. When they say we're looking for a
13 40-year-old and I'm submitted, they say I look too
14 young.

15 Q. What specific television shows or movies
16 has that happened?

17 A. This one was more I believe a commercial.

18 Q. What was it specifically?

19 A. I don't remember exactly what commercial.
20 I think it was in one of the letters.

21 (Following material designated
22 CONFIDENTIAL.)

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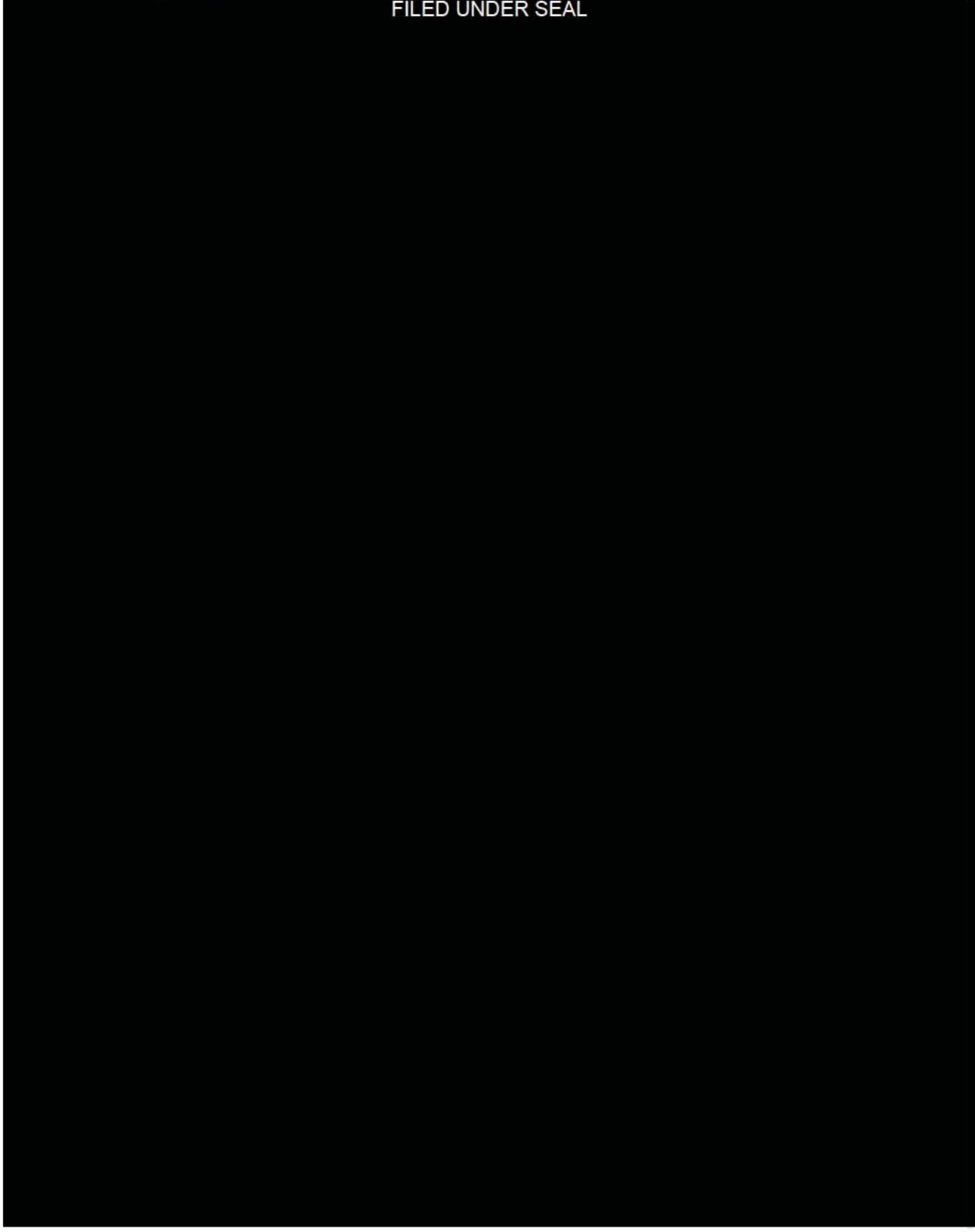
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1 . BY MS. ROOS:

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Exhibit A, Page 74

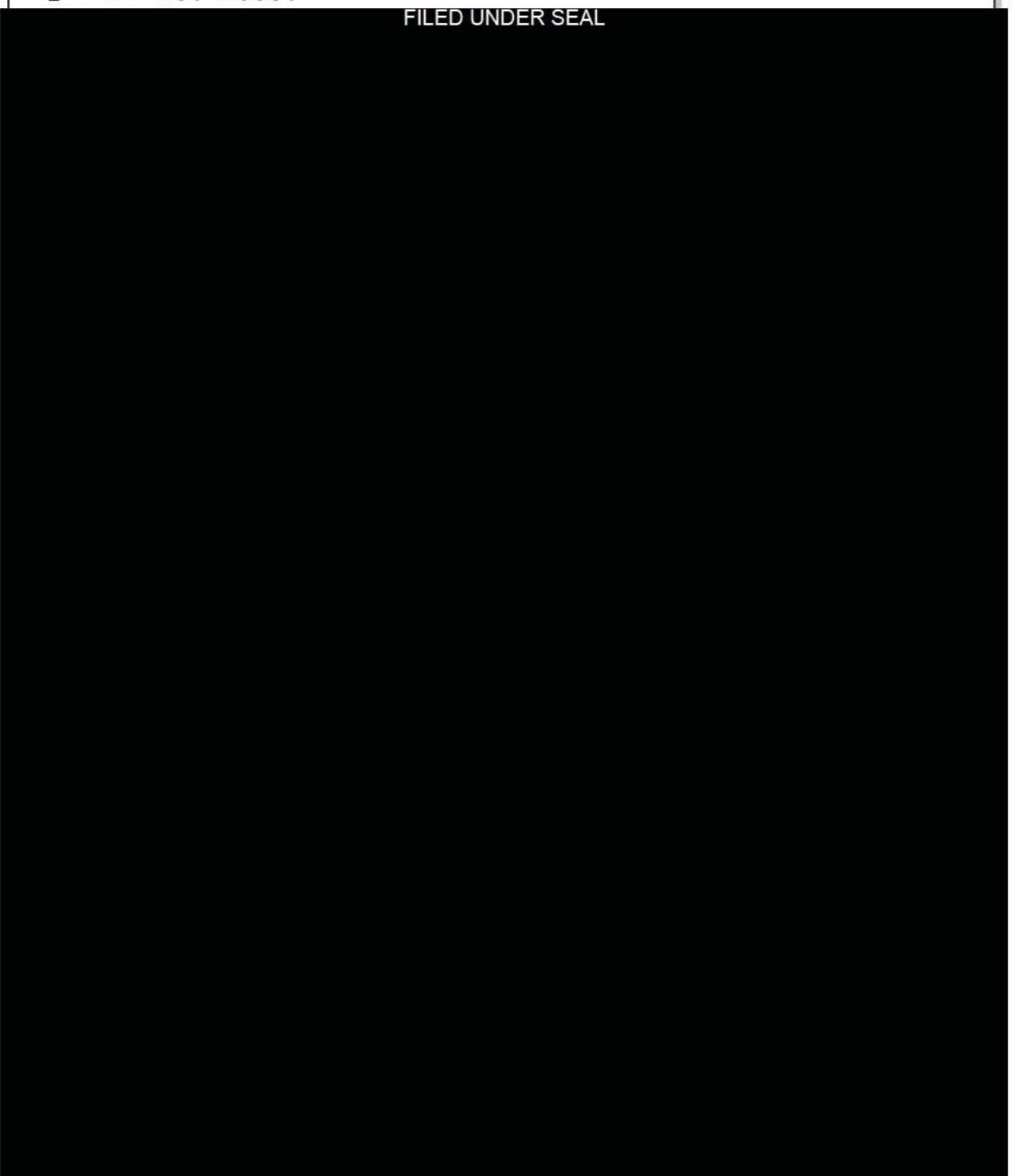
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1 . BY MS. ROOS:

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Exhibit A, Page 75

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1 . BY MS. ROOS:

2 Q. So let's go back to Exhibit-8, your second
3 amended complaint, and back to paragraph 30.

4 A. Which page?

5 Q. Page 6. If you look, we covered the first
6 reason in paragraph 30. Now, the second reason says,
7 "because plaintiff looks so much younger than her
8 actual age indicates, plaintiff has experienced
9 rejection in the industry for each '40-year-old' role
10 for which she has interviewed because she does not and
11 cannot physically portray the role of a 40-year-old
12 woman."

13 Is that right?

14 A. Yes.

15 Q. So this is what you referred to earlier
16 when you said going the other direction?

17 A. Right.

18 Q. Can you explain what you mean there?

19 A. I've never been cast to play a 40-year-old
20 woman.

21 Q. Now, regardless of what your age is
22 posted, your looks or how you look and how you portray
23 yourself as how you look in the photos you submit to
24 IMDb would be the same, correct?

25 A. Well, first you have to get to the

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1 audition. So if they see your posting, your birthday
2 says you're 40, they may not even call you in to
3 audition because your profile says you're 40.

4 Q. Well, here we're talking about roles for a
5 40-year-old, roles that you don't get, right?

6 A. Yes.

7 Q. So the fact that your IMDb profile says
8 your birthdate is 40 shouldn't have any bearing on a
9 role that is cast for someone, a woman who is 40,
10 correct?

11 A. Well, if they call you in because your
12 profile says you're 40, and they bring you in and you
13 don't look 40, then you won't get cast.

14 Q. Right, but IMDb isn't responsible for how
15 old you look, correct?

16 A. I guess they wouldn't be.

17 Q. So if you have missed out on roles because
18 you look younger than 40, that's not IMDb's
19 responsibility, is it?

20 A. I can't say why I don't get cast for a
21 role for a 40-year-old. I just know that when I walk
22 in, they just say you don't look 40.

23 Q. But when you walk in, they're basing that
24 on what you look like, not based on what IMDb has said
25 about you, right?

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1 A. Well, it depends because some people have
2 old pictures up on IMDb and they don't look exactly --
3 they may use a picture that's 10 years ago, so
4 sometimes people don't go by the pictures that's on
5 IMDb because people will post pictures from when they
6 were 10 years ago. So they still would want to bring
7 you in to see what you look like.

8 Q. Right, but what you look like has nothing
9 to do with what's on IMDb, correct?

10 A. I've had people bring me in because they
11 see that I'm 40.

12 Q. Okay, but when they decide not to hire you
13 based on what you look, that has nothing to do with
14 IMDb, right?

15 A. I can't say that. I can't say that.

16 Q. How does it relate to IMDb when someone
17 decides not to hire you based on meeting you in person
18 and the way you look in person?

19 A. I can't answer that.

20 Q. You have no idea how that relates to IMDb?

21 MR. SZEGO: Objection, leading.

22 Q. You can answer.

23 A. I just know that people screen out people
24 to audition based off the age they see on IMDb.

25 Q. So people decide to give you an audition

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1 because they see -- for a 40-year-old role because they
2 see your age on IMDb?

3 A. Sometimes they may because I may not look
4 like my picture.

5 Q. So you might get more auditions because
6 your age has been posted on IMDb?

7 MR. SZEGO: Objection. Objection, calls
8 for speculation.

9 Q. Go ahead and answer.

10 A. If I get called in for a 40-year-old role,
11 I will not get cast.

12 Q. If your age was not posted on IMDb, would
13 you get called in for those roles?

14 A. With my age not being posted, I would have
15 a chance at playing an age range.

16 Q. I'm talking about 40-year-old roles.

17 A. They could submit me for 40-year-old
18 roles. My agent could still submit me.

19 Q. But how does having your age posted on
20 IMDb hurt you with respect to 40-year-old roles?

21 A. I think it takes away from the illusion of
22 what you can play.

23 Q. What do you mean by that?

24 A. If it says you're 40, then if you're
25 considered for a role that's younger, subconsciously

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1 . they know that you're 40.

2 Q. Okay. I'm talking about just 40-year-old
3 roles, because in this paragraph 30, the second part of
4 this paragraph of your complaint you're talking about
5 losing out on 40-year-old roles. How does having your
6 age posted showing that you're 40 on IMDb hurt you with
7 respect to auditions for 40-year-old roles?

8 A. I can't answer that.

9 Q. If you could go to paragraph 69.

10 Actually, strike that.

11 (Exhibit-11 marked.)

12 (Following material designated

13 CONFIDENTIAL.)

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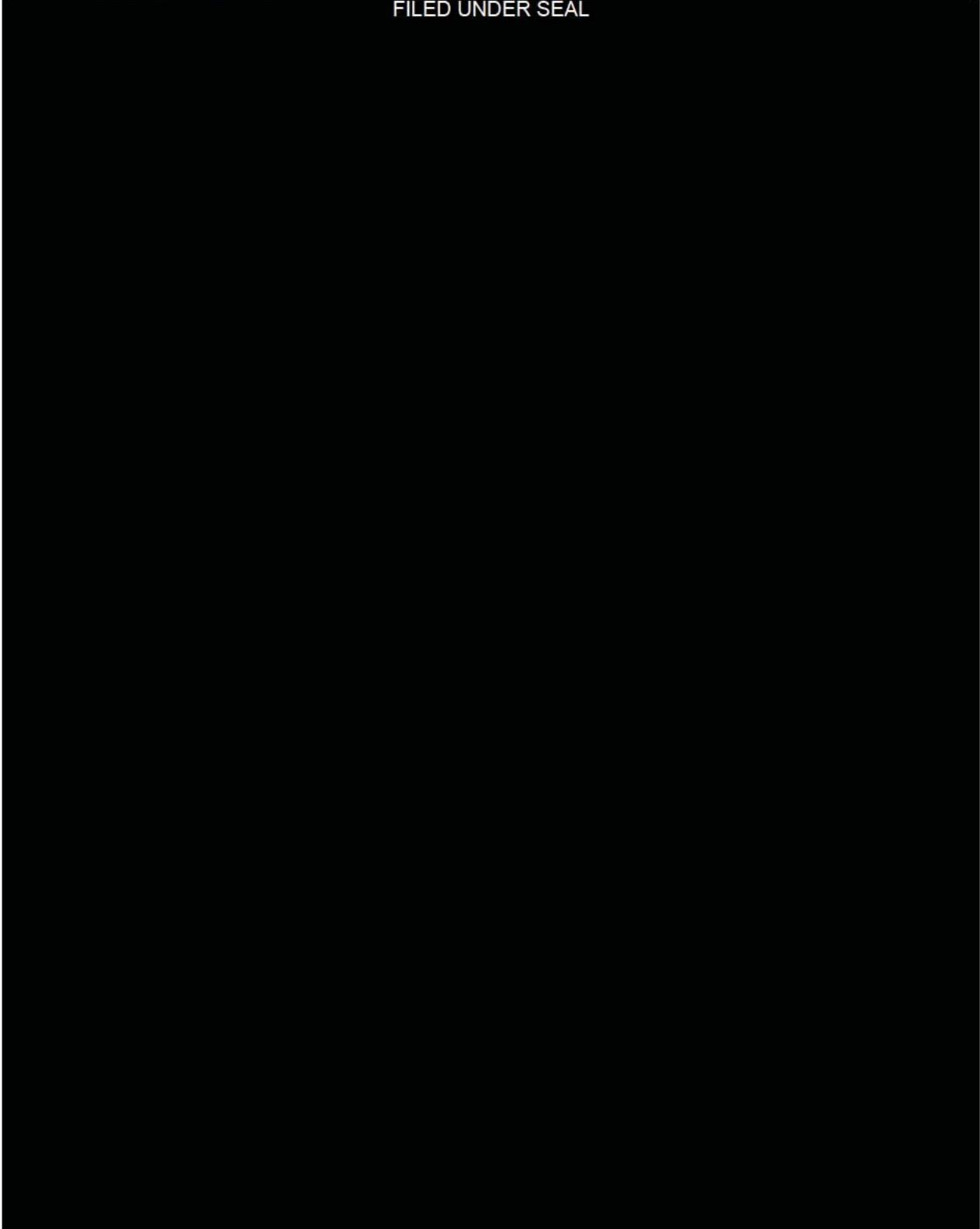
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1 . BY MS. ROOS:

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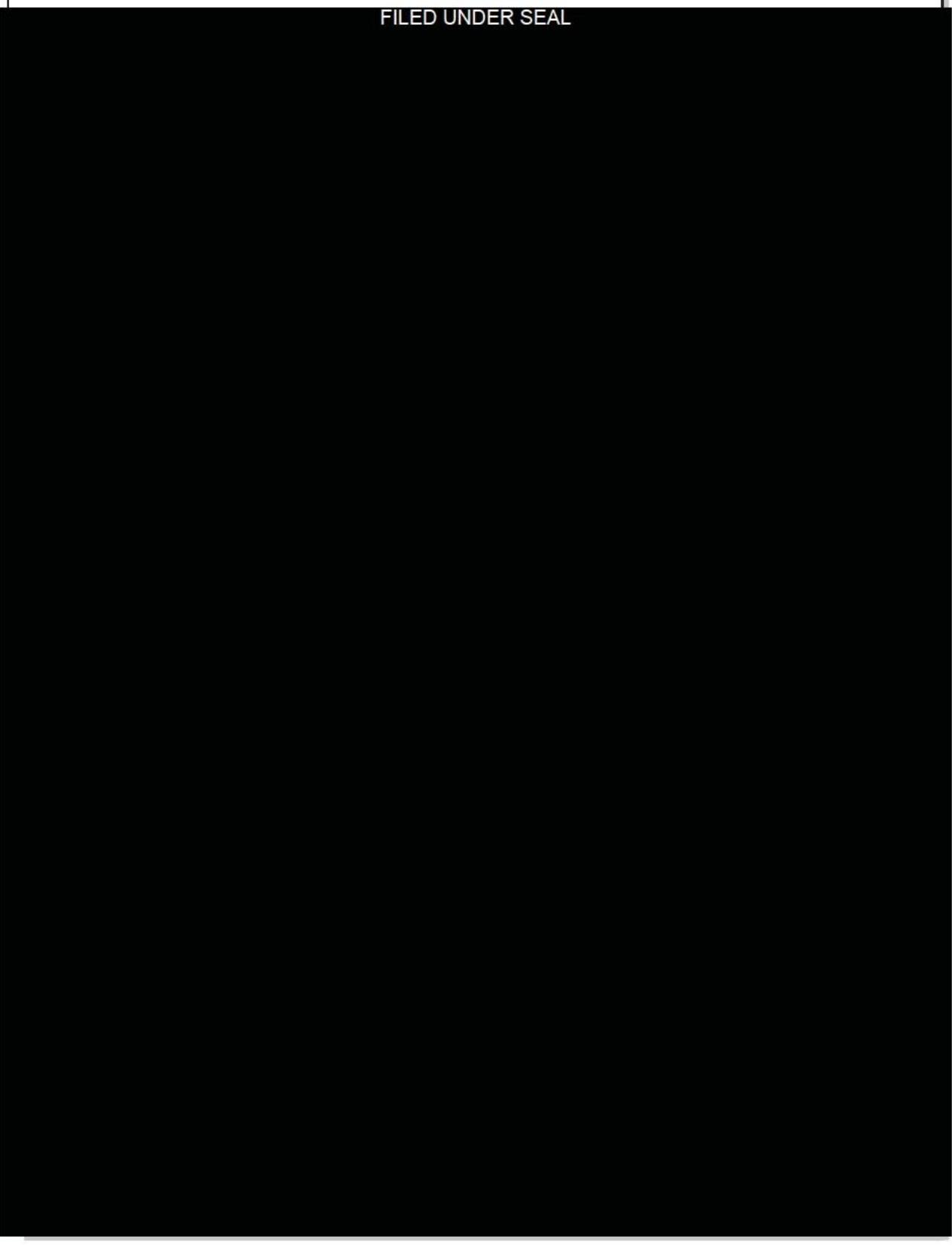
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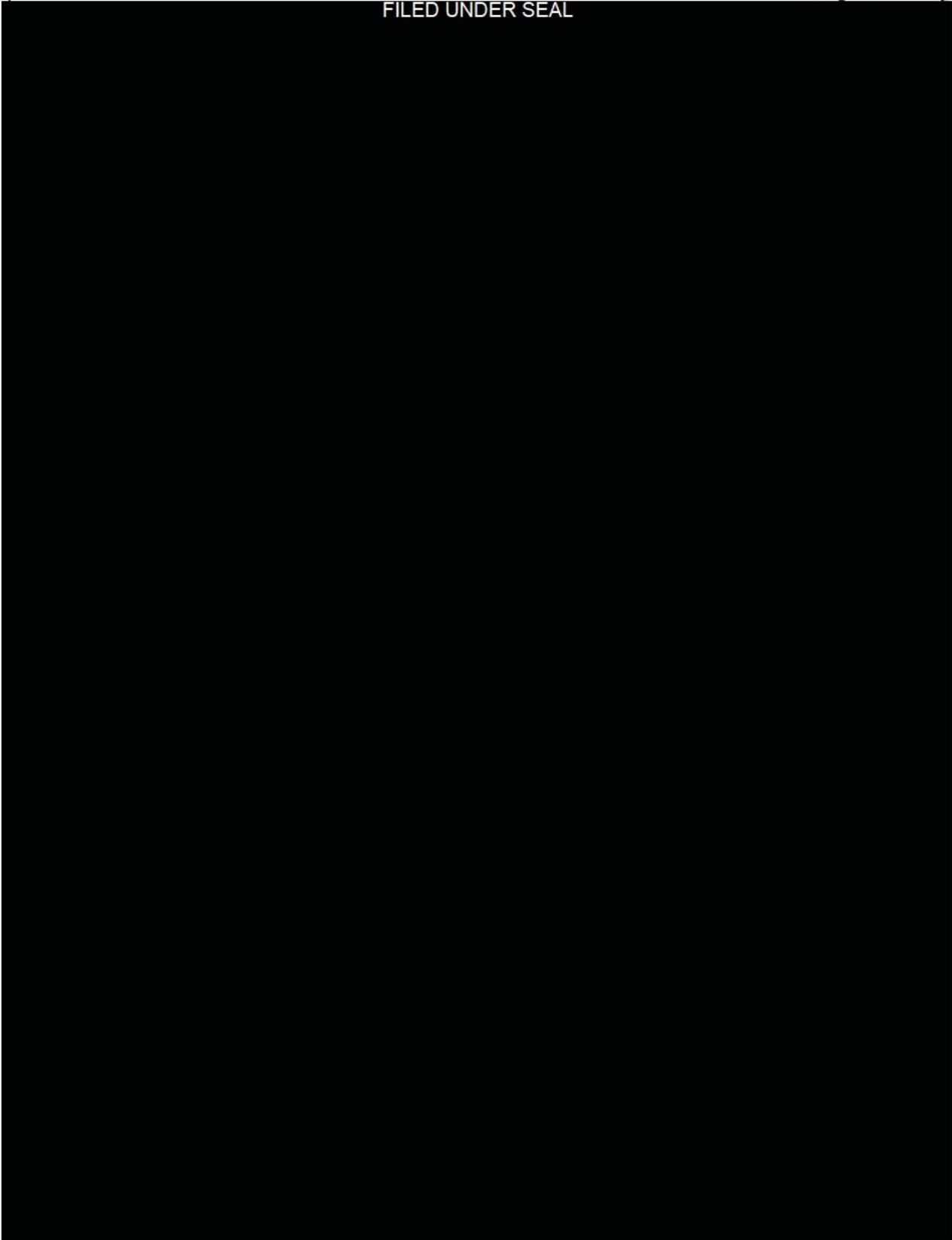
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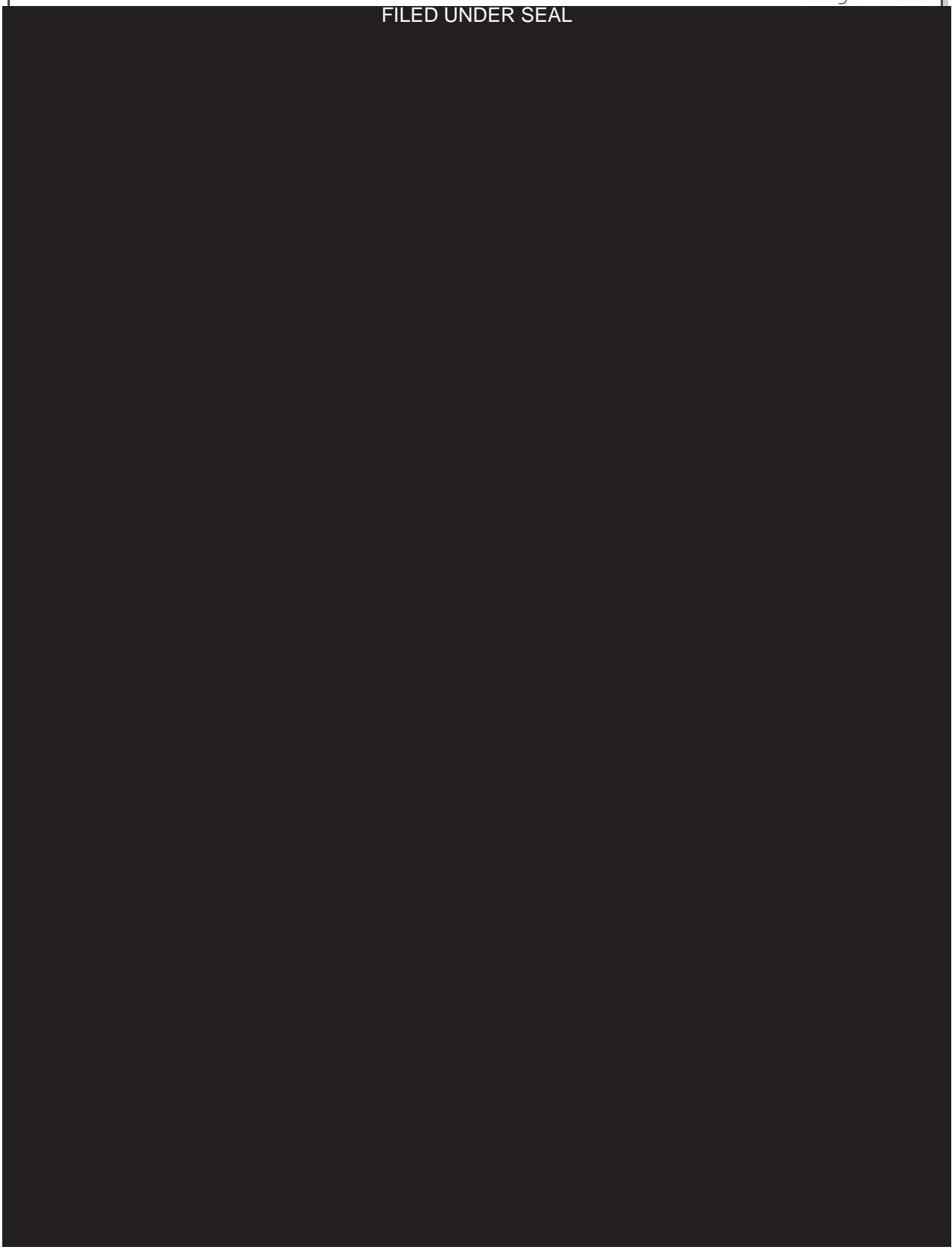
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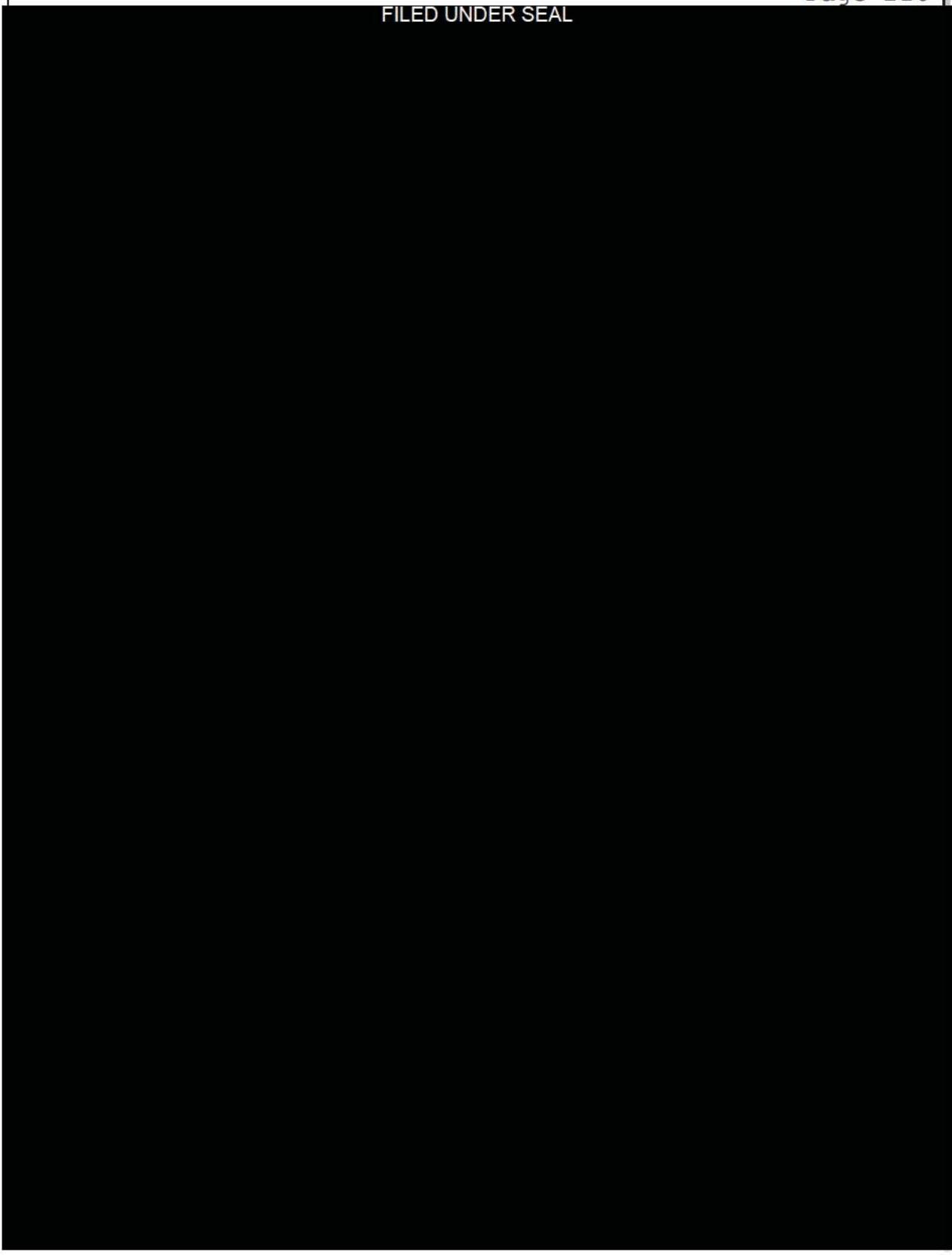
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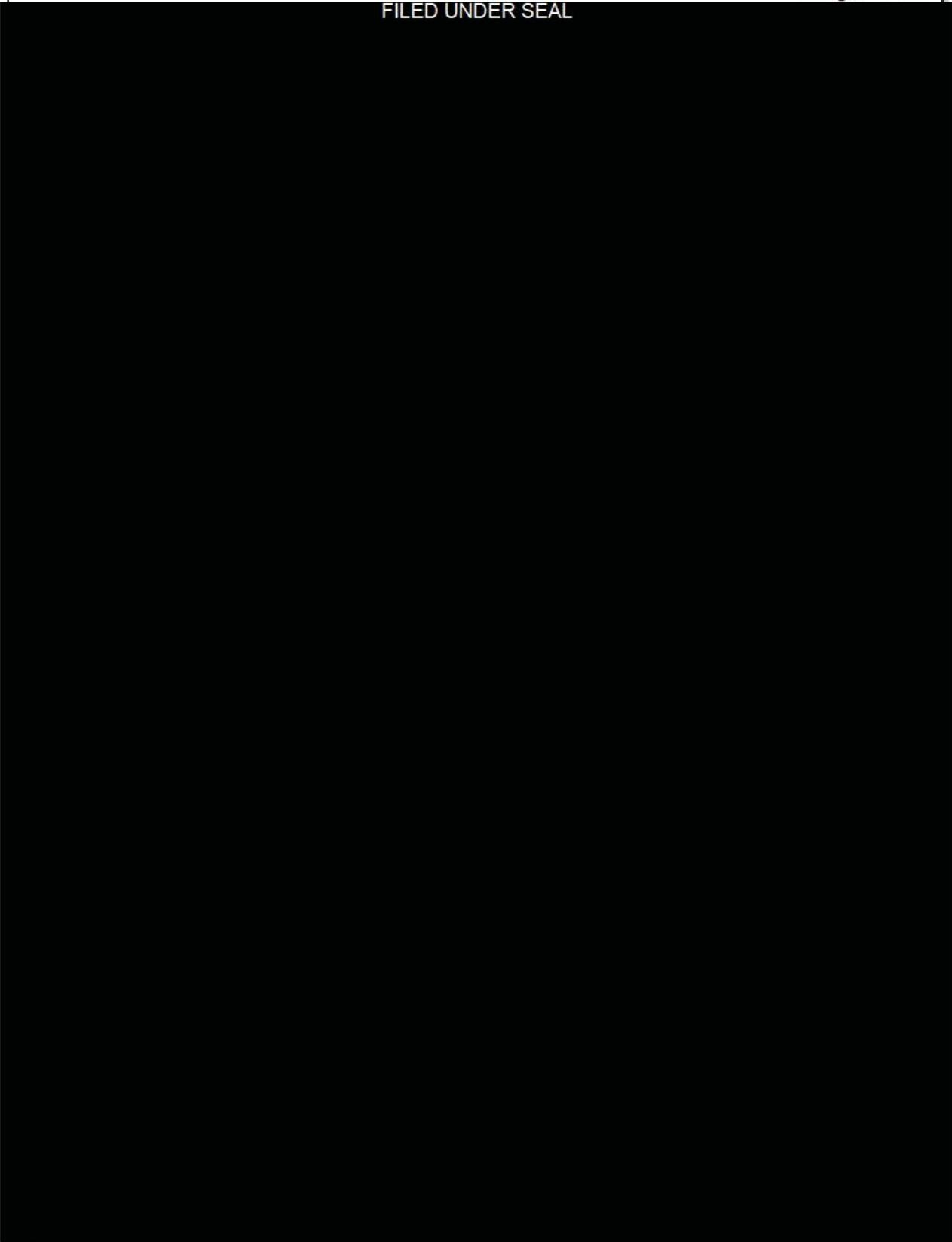
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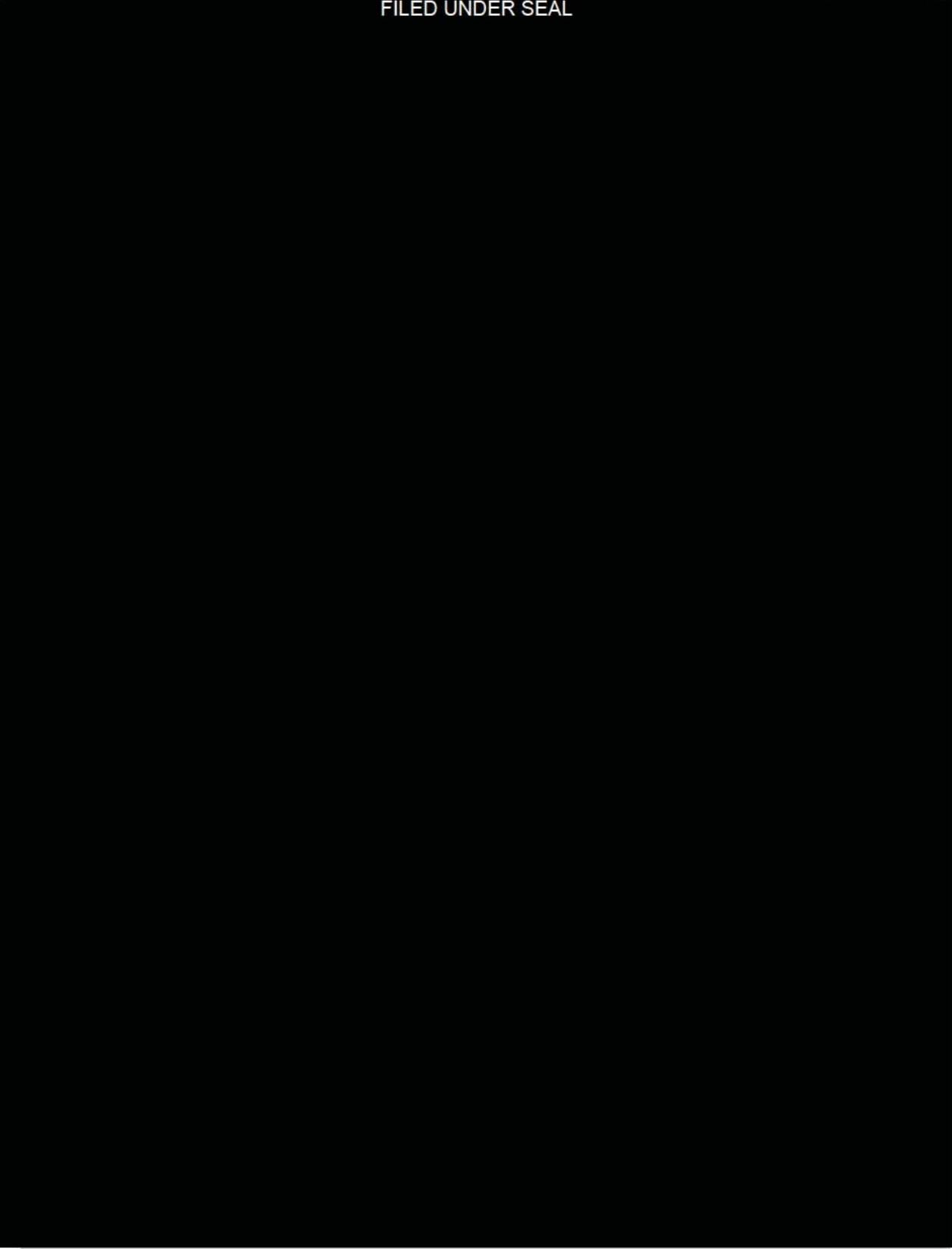
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Exhibit A, Page 90

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1 . BY MS. ROOS:

2 Q. Let me go back to Exhibit-8. If you look
3 at page 5, paragraph 22 you say, "If one is perceived
4 to be 'over the hill,' i.e. approaching 40, it is
5 nearly impossible for an up-and-coming actress, such as
6 the plaintiff, to get work."

7 You have gotten work since IMDb posted
8 your age on your profile, correct?

9 A. Since they posted it, I've gotten some
10 work.

11 (Following material designated
12 CONFIDENTIAL.)

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1 . BY MS. ROOS:

2 Q. And you've gotten work since then?

3 A. Not as much.

4 Q. But you have gotten work, correct?

5 A. I have gotten work.

6 Q. So it's not impossible?

7 A. It's not impossible, but it's always
8 better to get more work.

9 Q. I'd like you to turn back to Exhibit-2.
10 We're going to walk you through some more of your
11 filmography. We talked about some of it earlier.

12 So first, The Custom Mary, you played
13 Group Mary. Was that the character's name?

14 A. It was one character in a group of
15 characters named Mary. I was one of the Marys.

16 (Following material designated
17 CONFIDENTIAL.)

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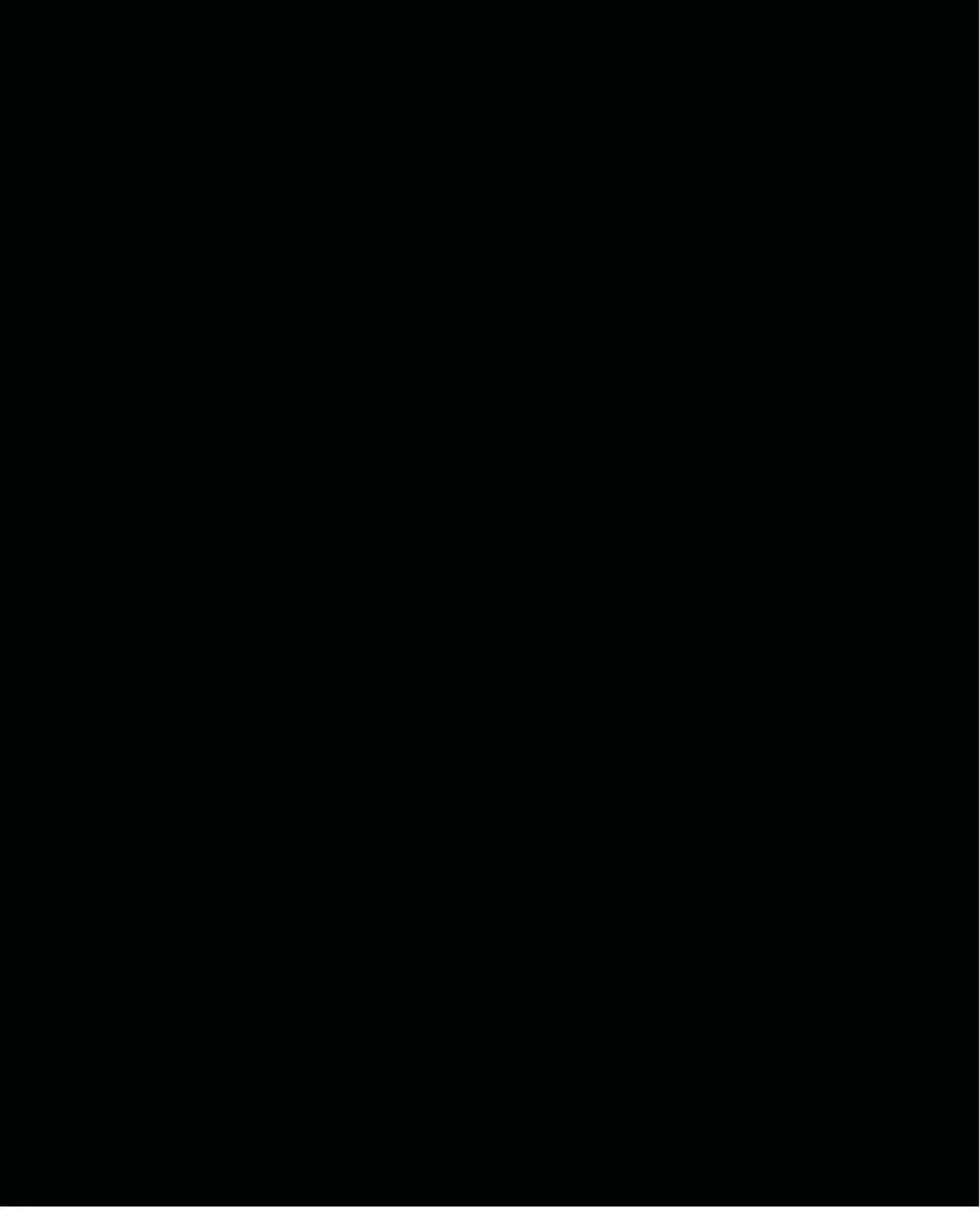
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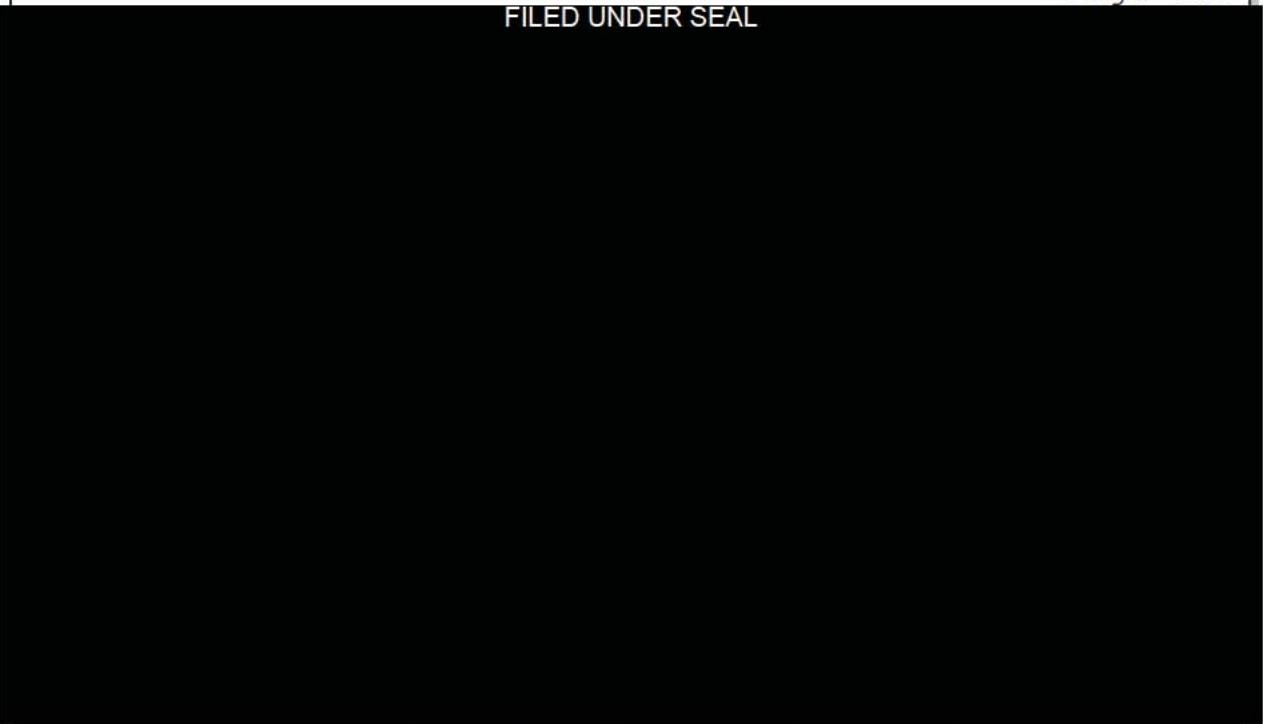
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1 . (Exhibit-13 marked.)

2 BY MS. ROOS:

3 Q. You've been handed what's been marked as
4 Exhibit-13. I'll give you a minute to take a look at
5 it.

6 A. Do you want me to look at the top or the
7 bottom?

8 (Following material designated
9 CONFIDENTIAL.)

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Exhibit A, Page 98

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1 . BY MS. ROOS:

2 Q. Yes.

3 A. Okay.

4 Okay.

5 Q. Are you familiar with this document?

6 A. Yes.

7 (Following material designated

8 CONFIDENTIAL.)

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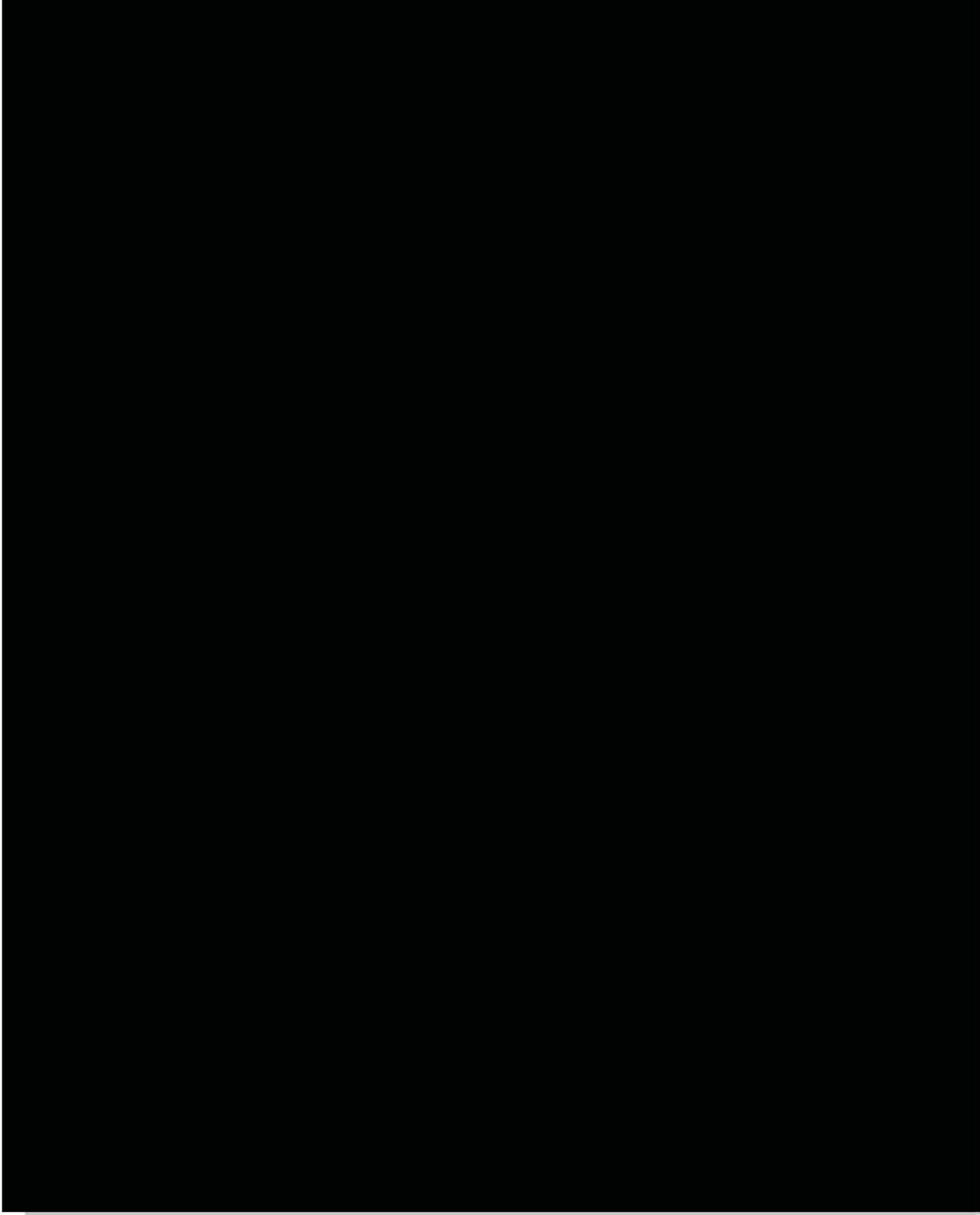
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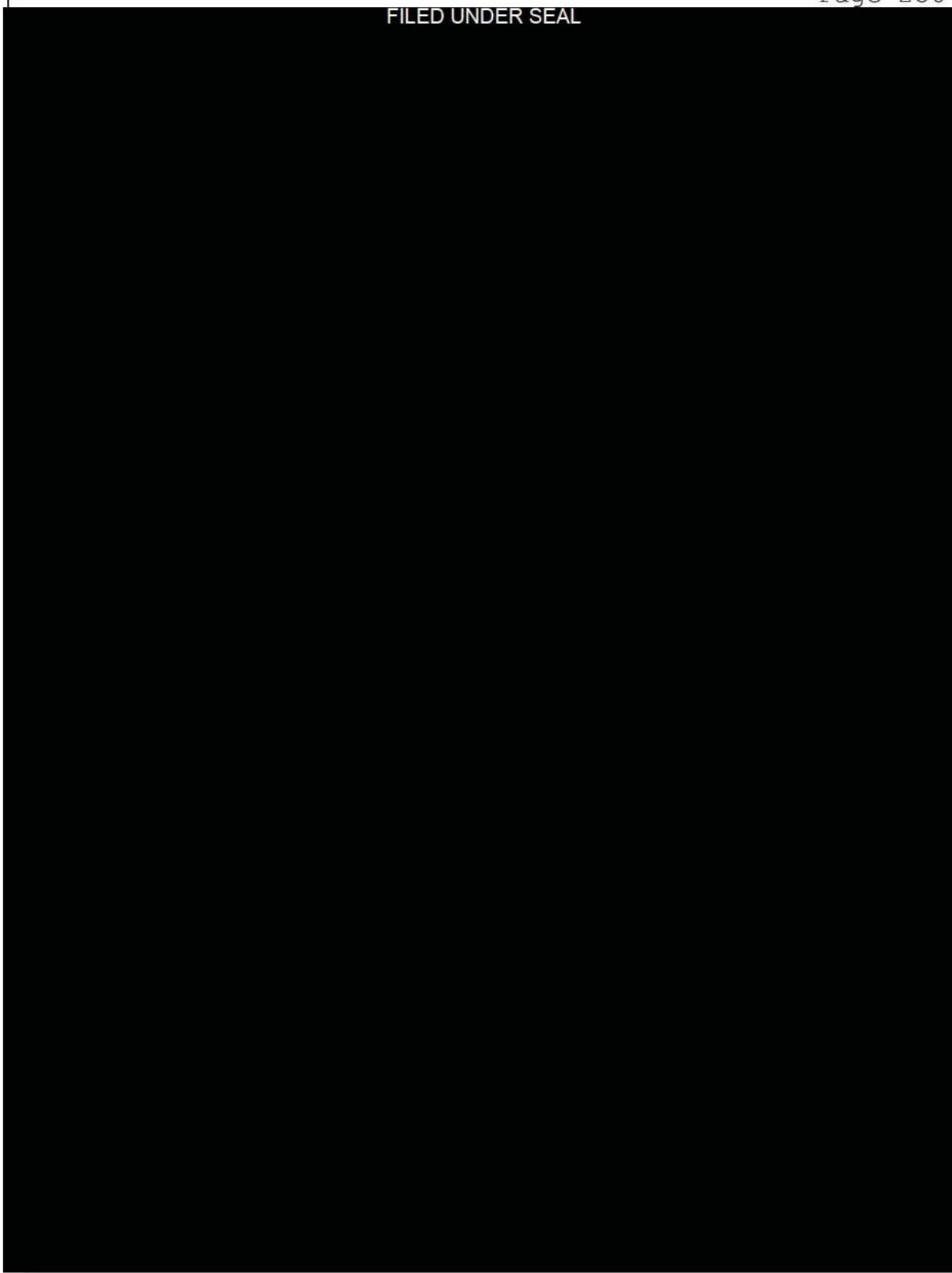
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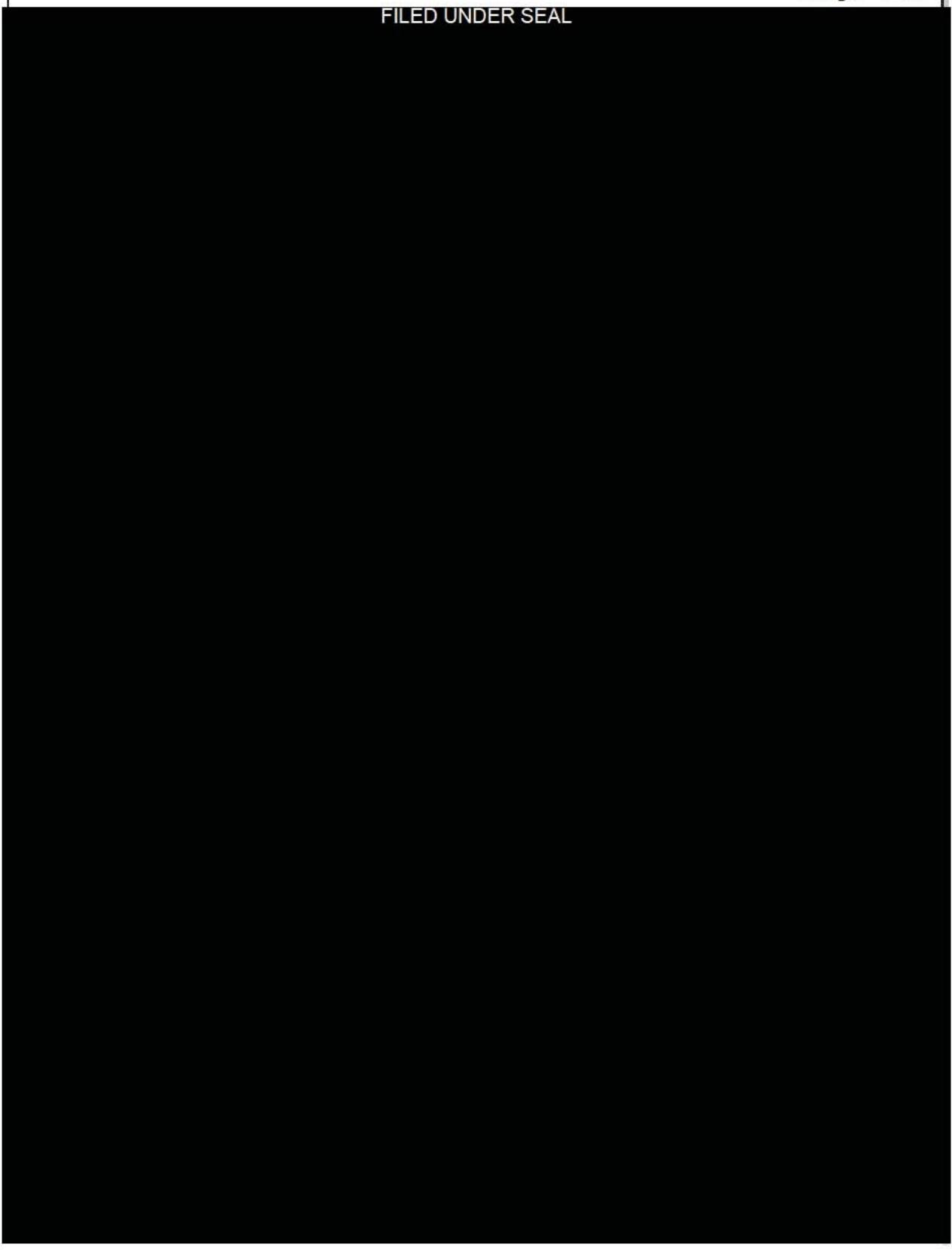
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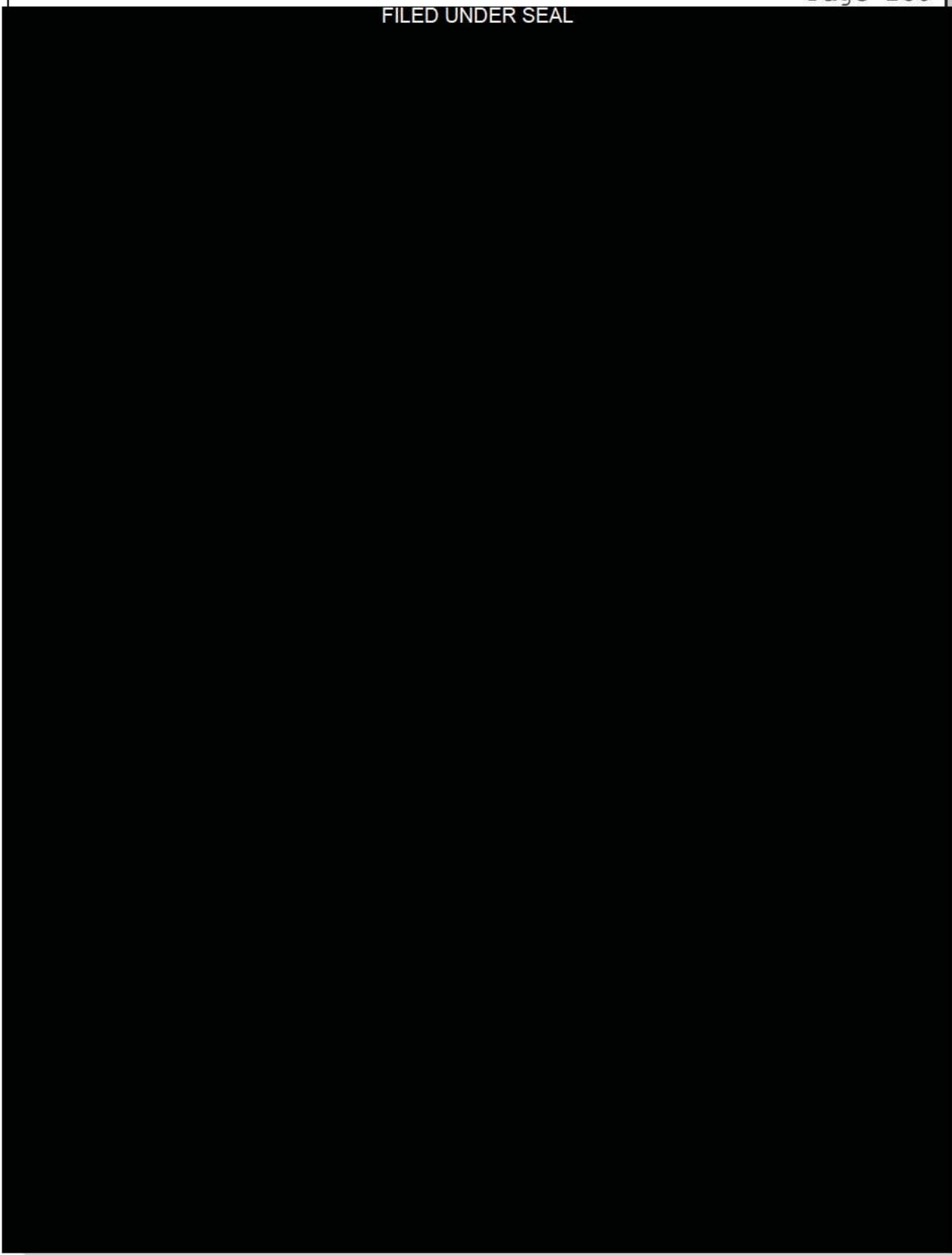
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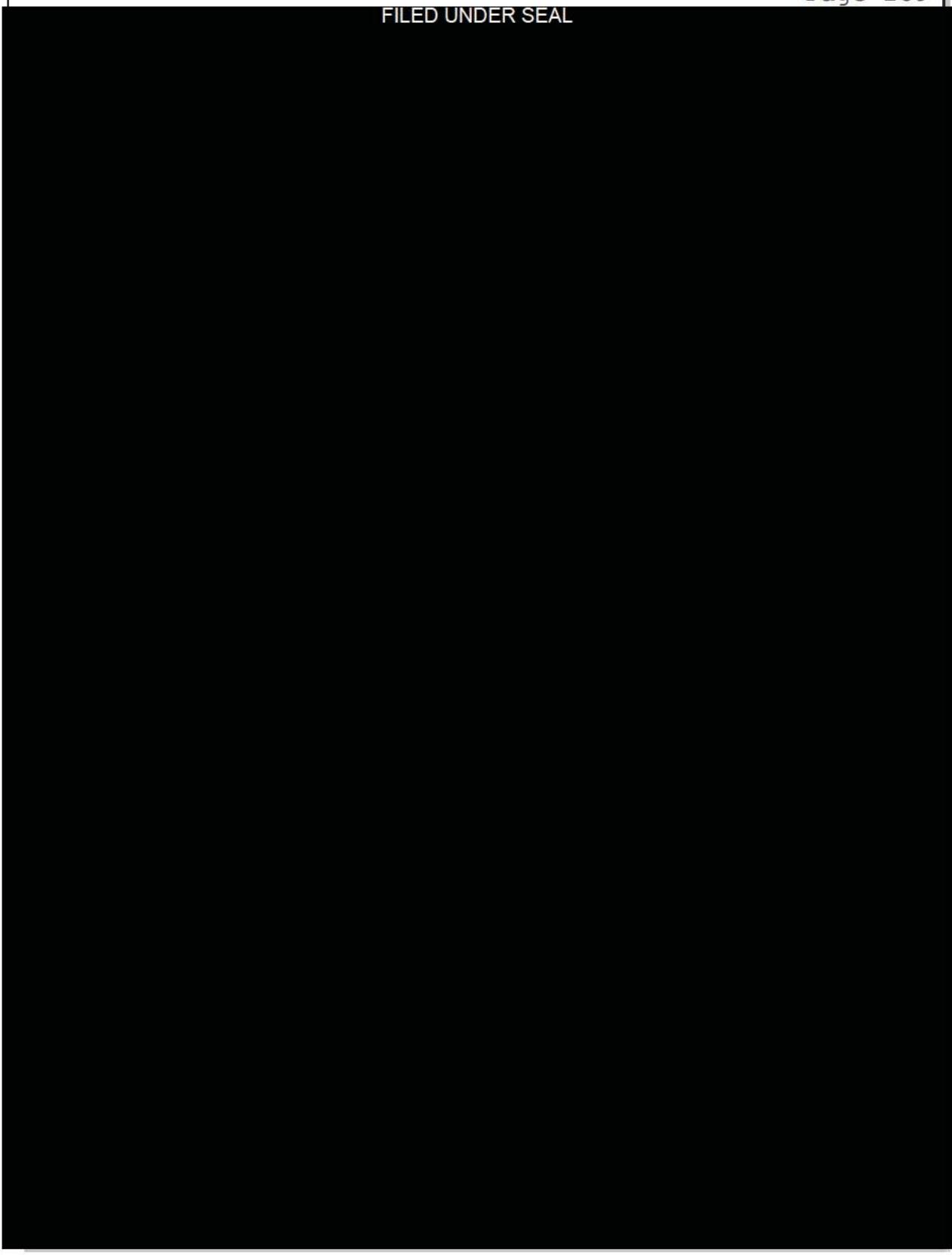
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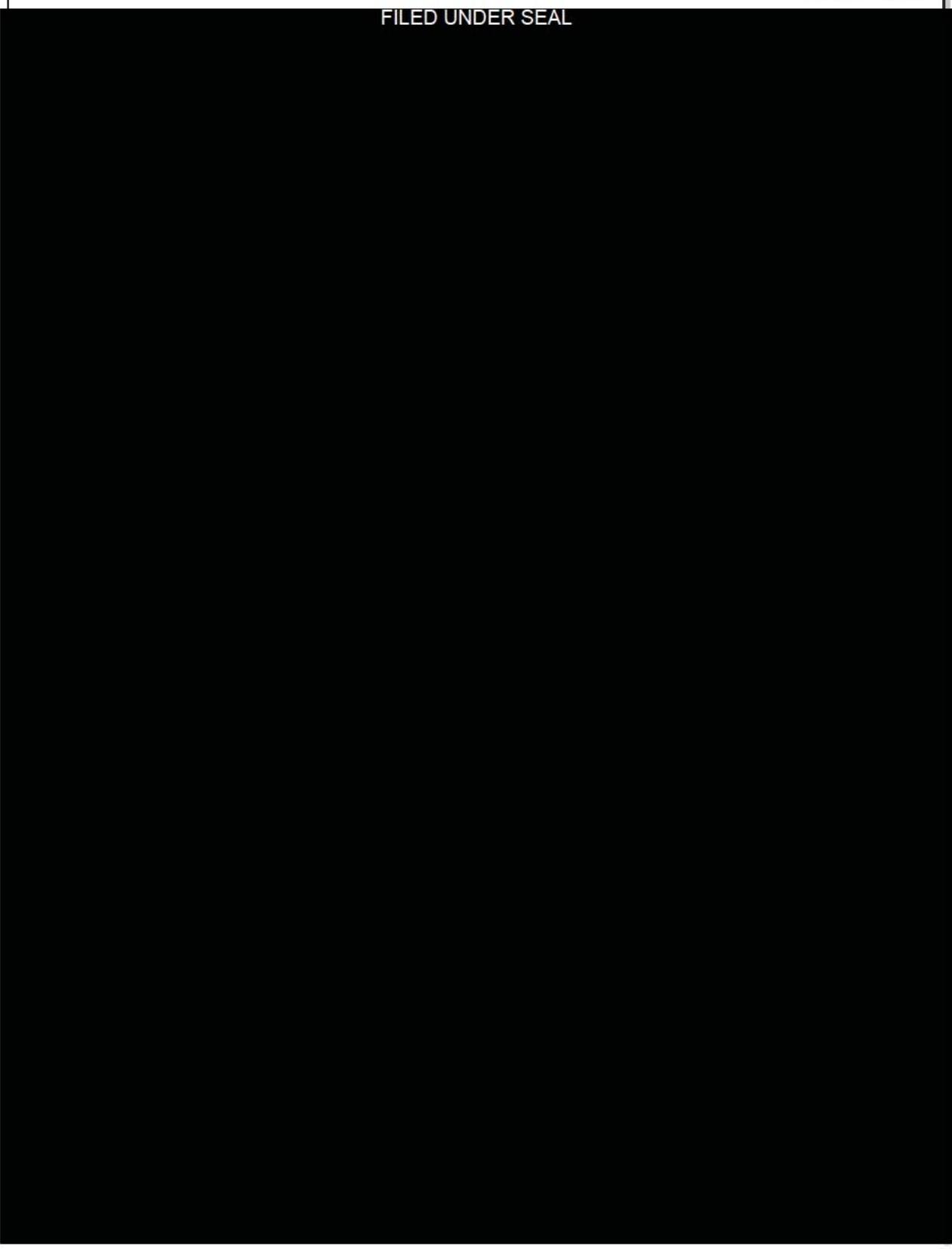
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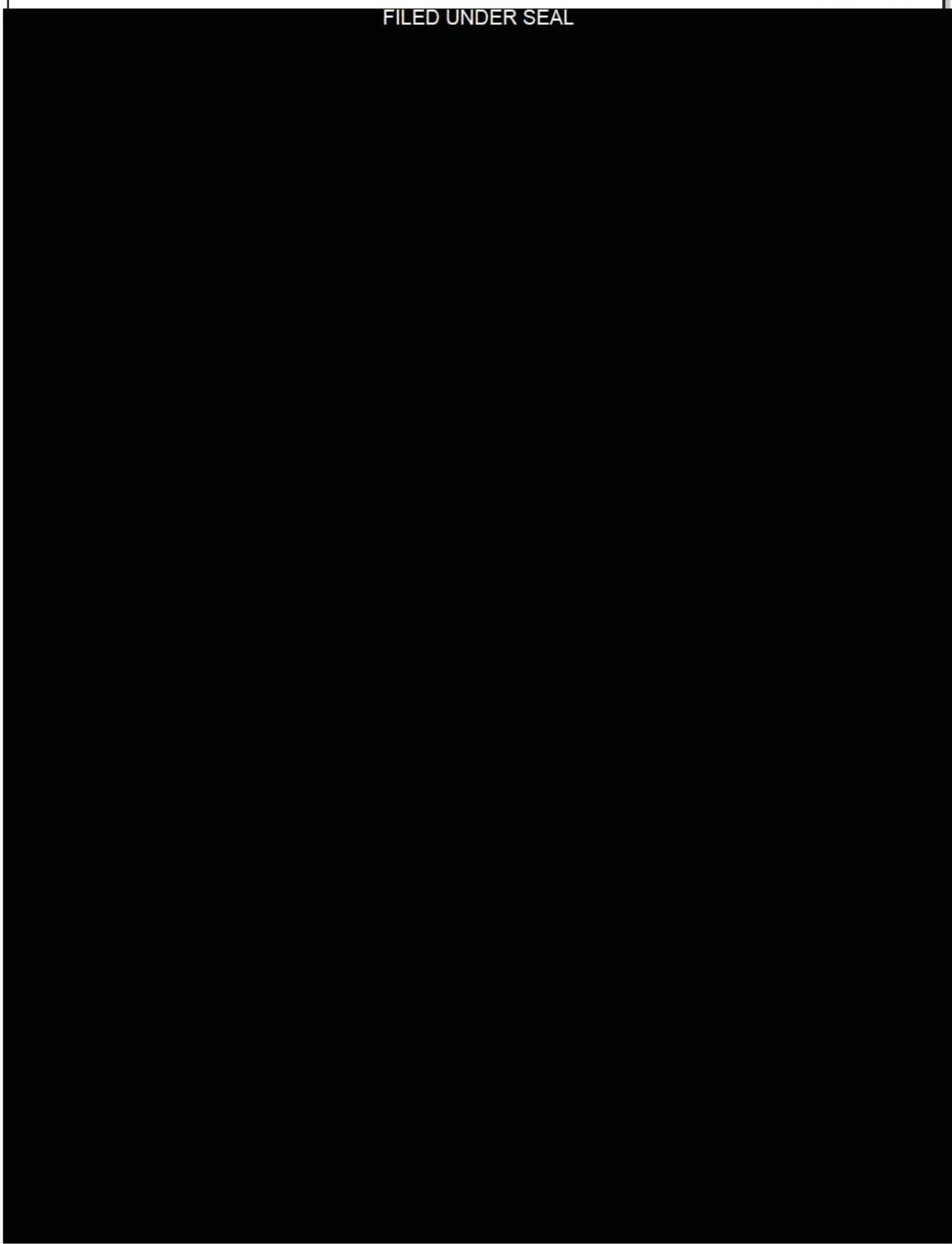
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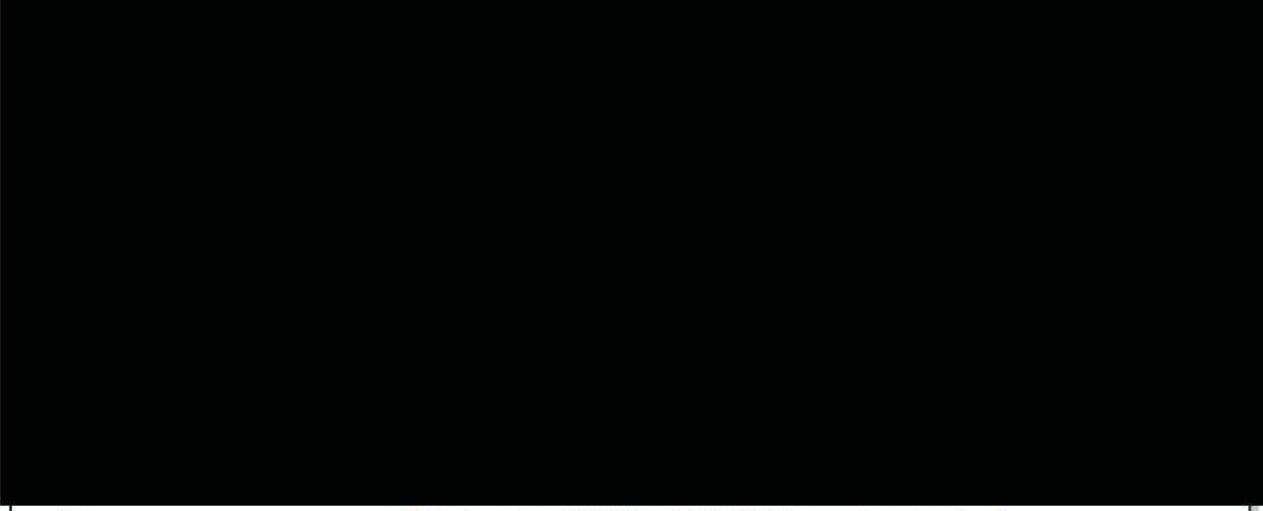
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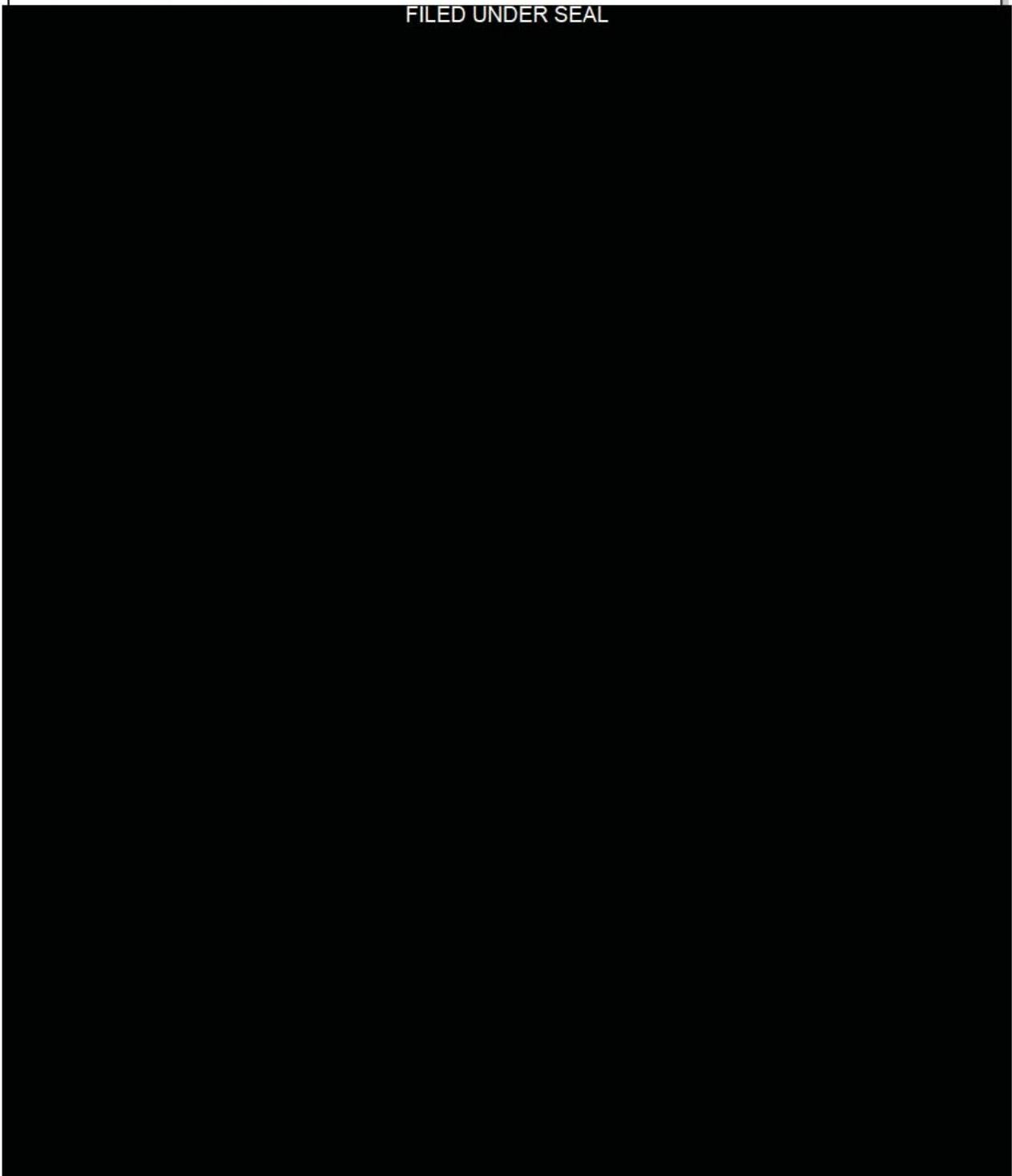
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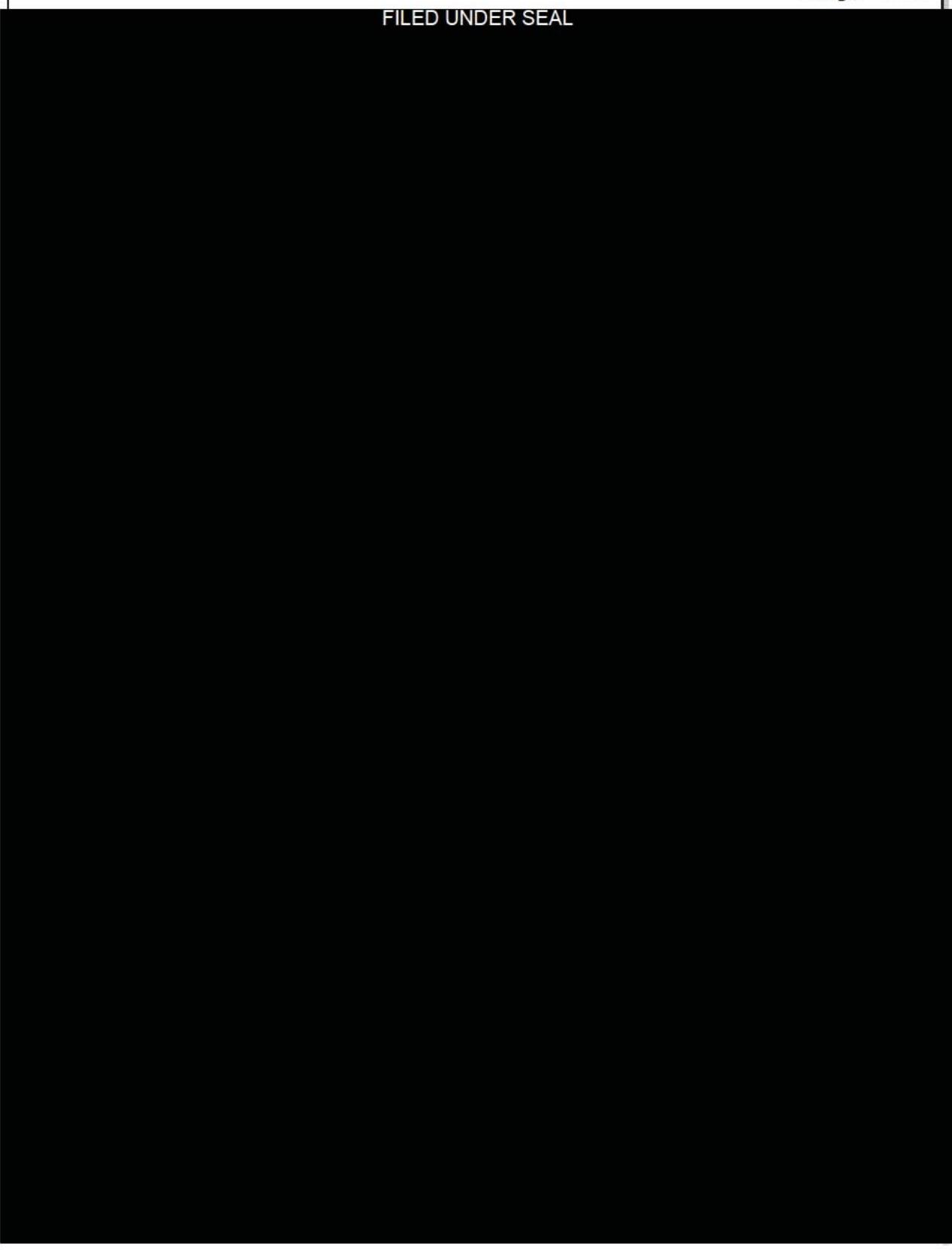
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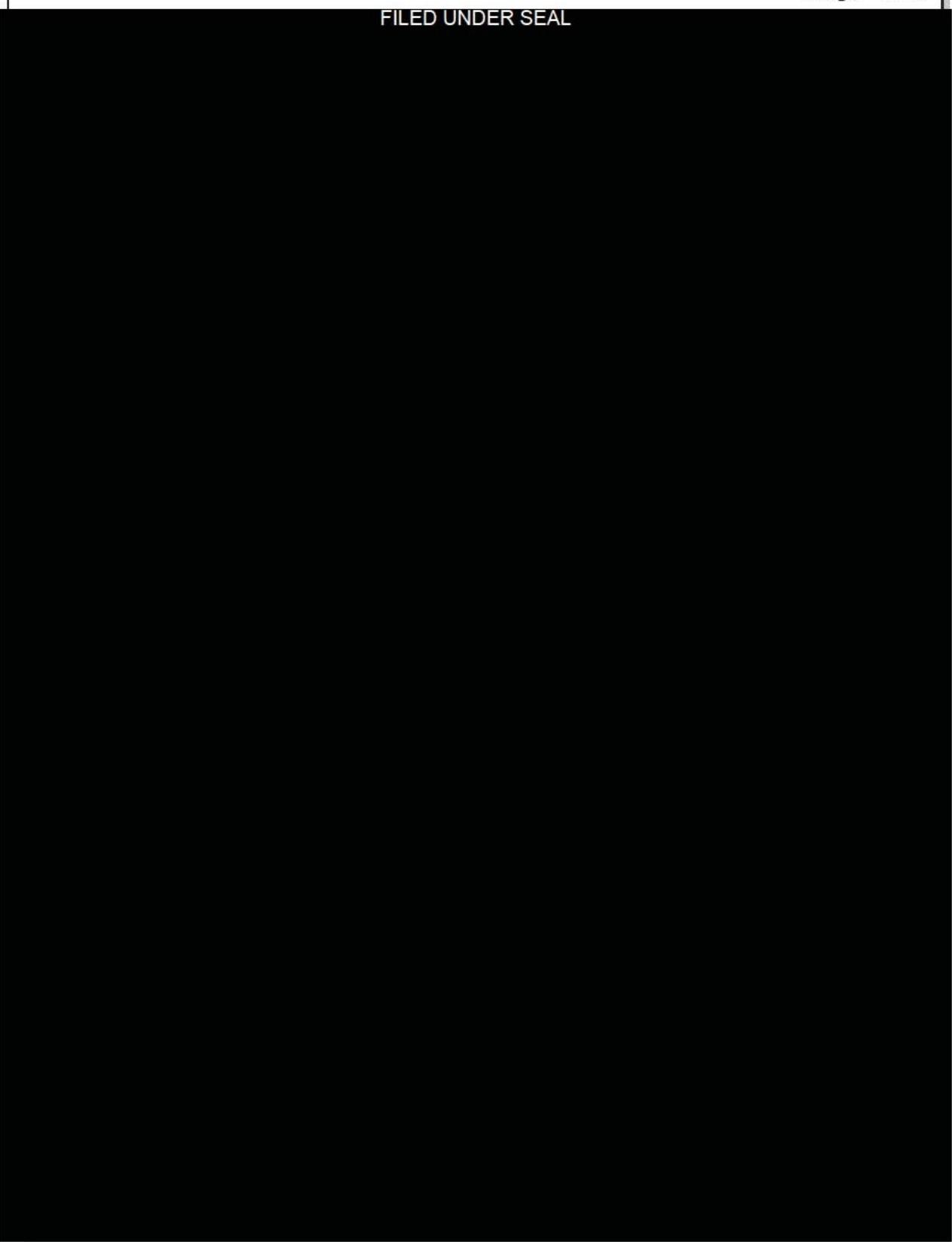
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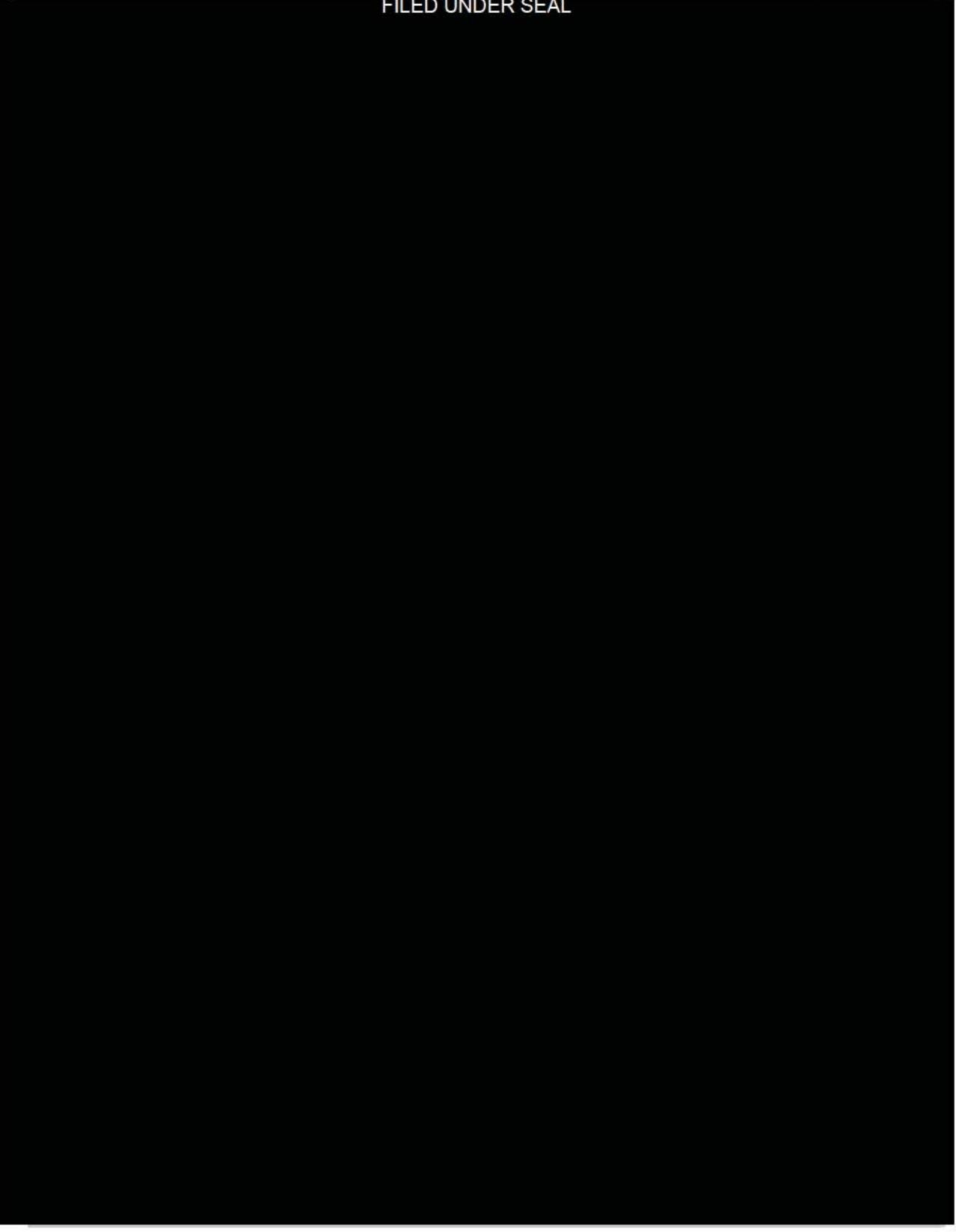
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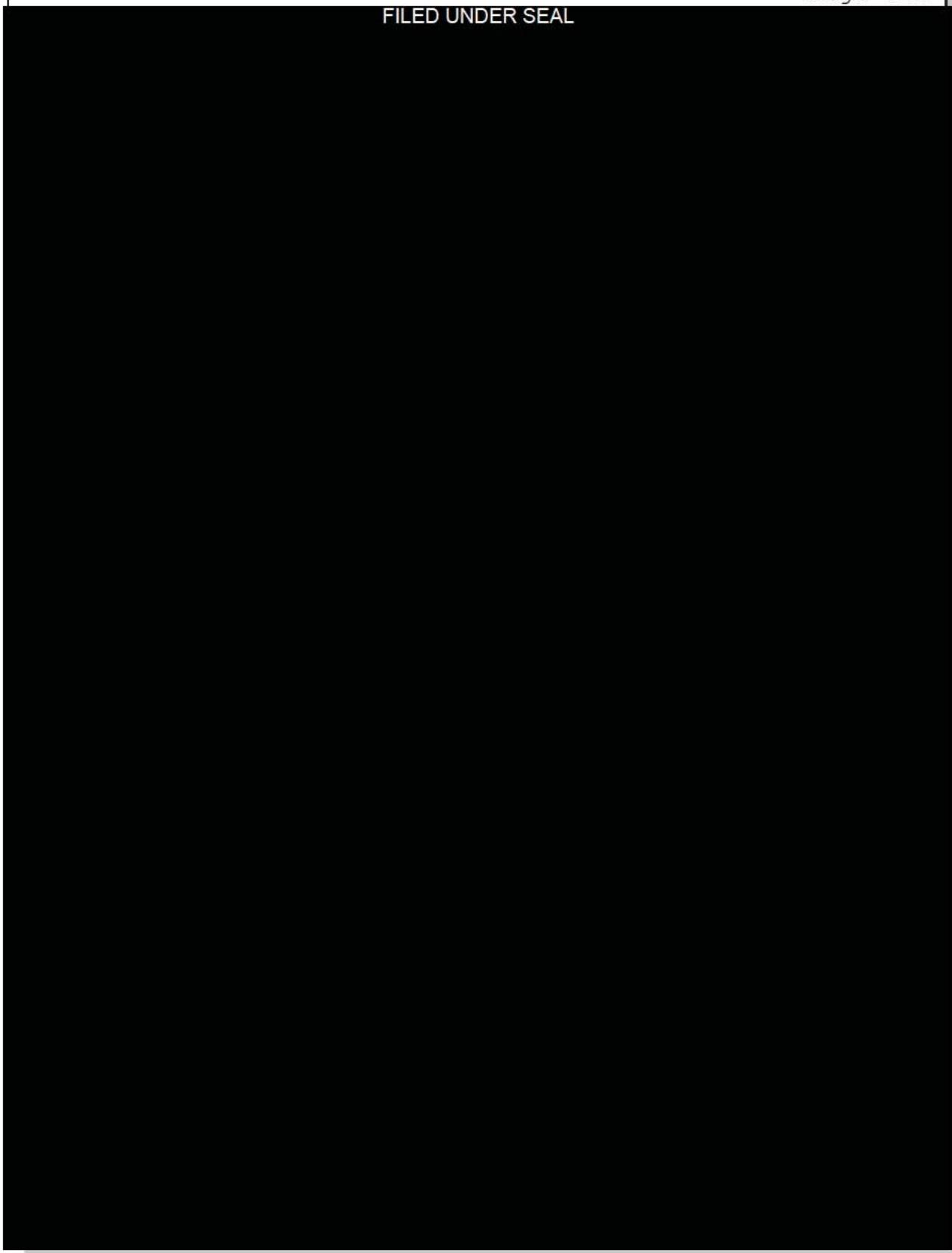
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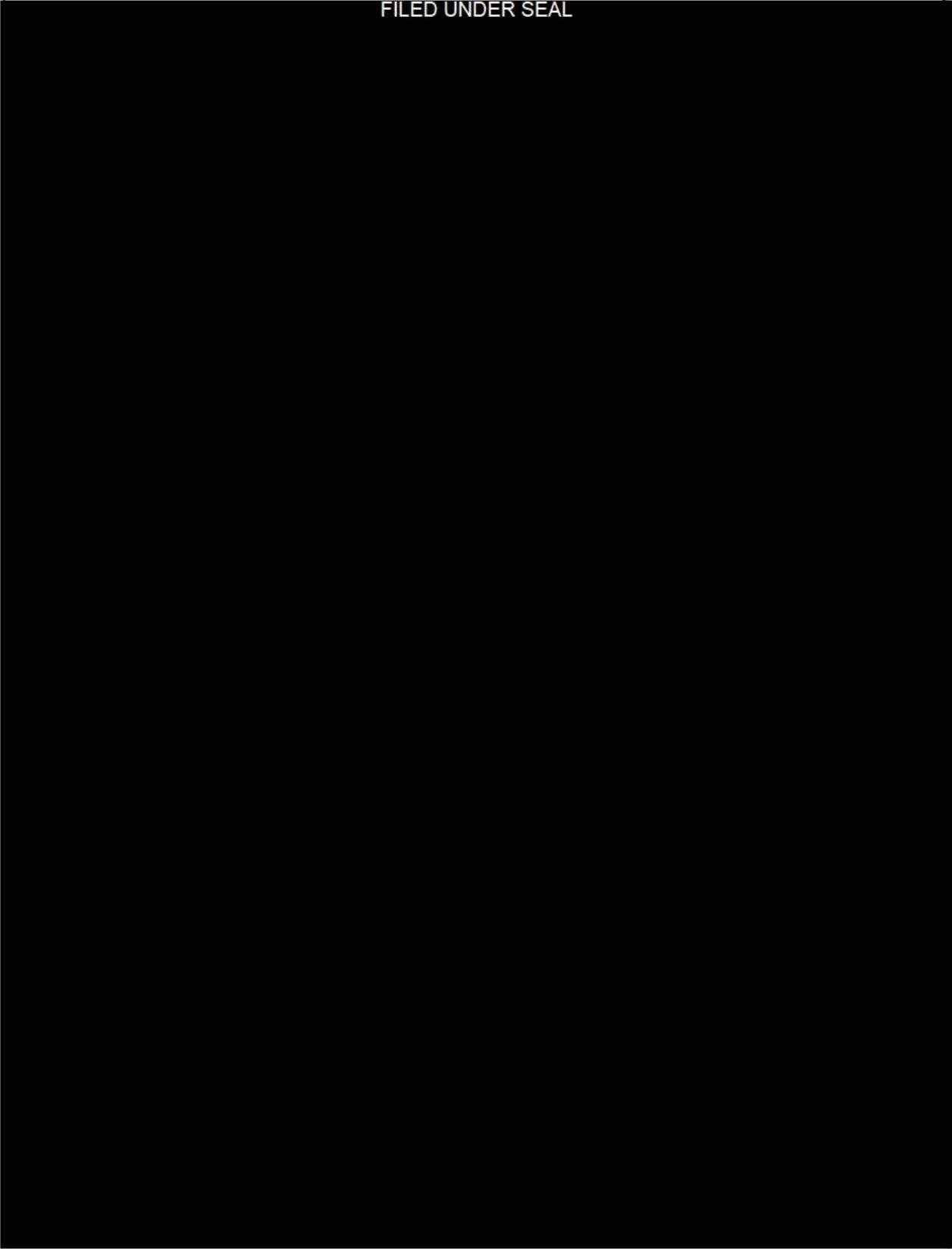
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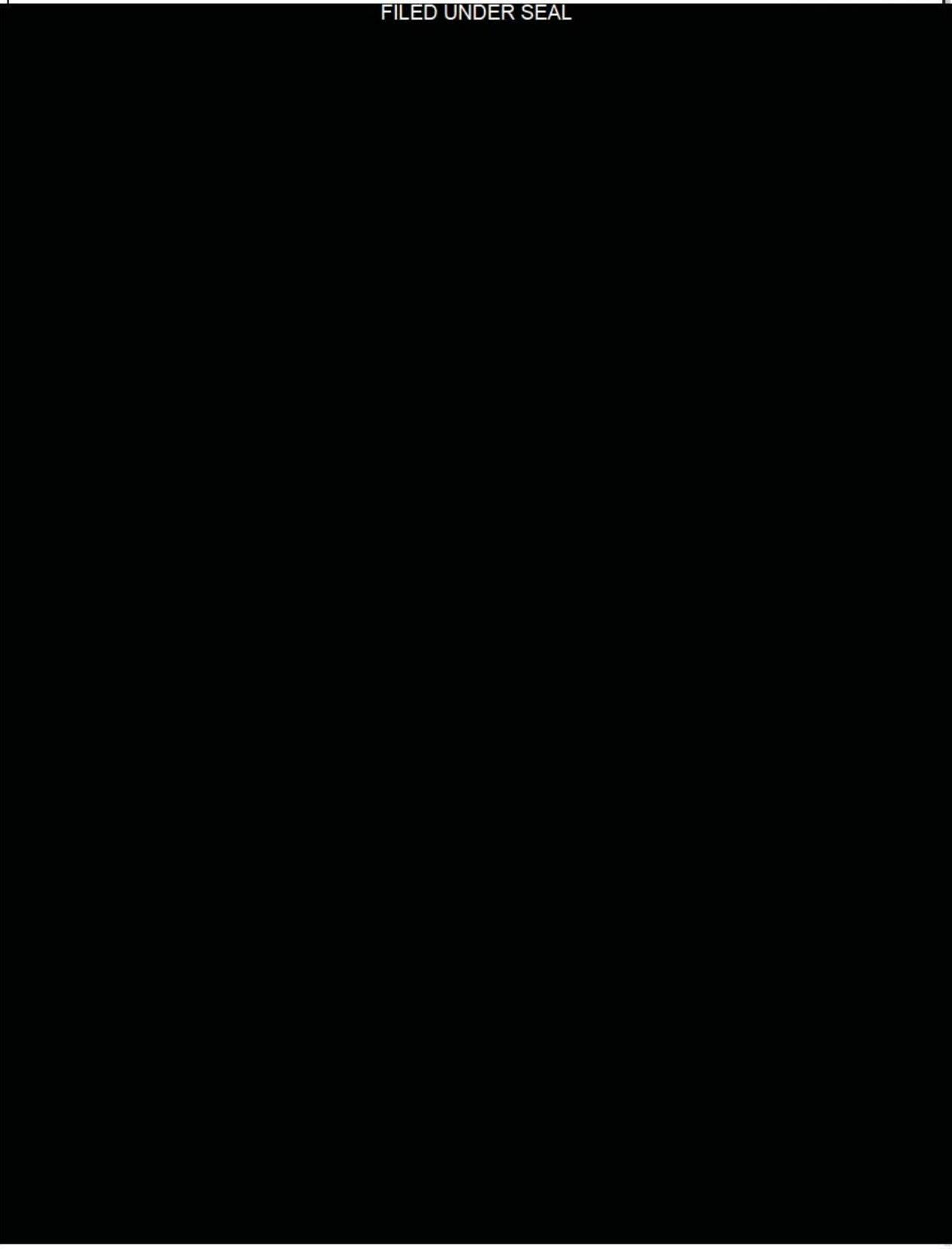
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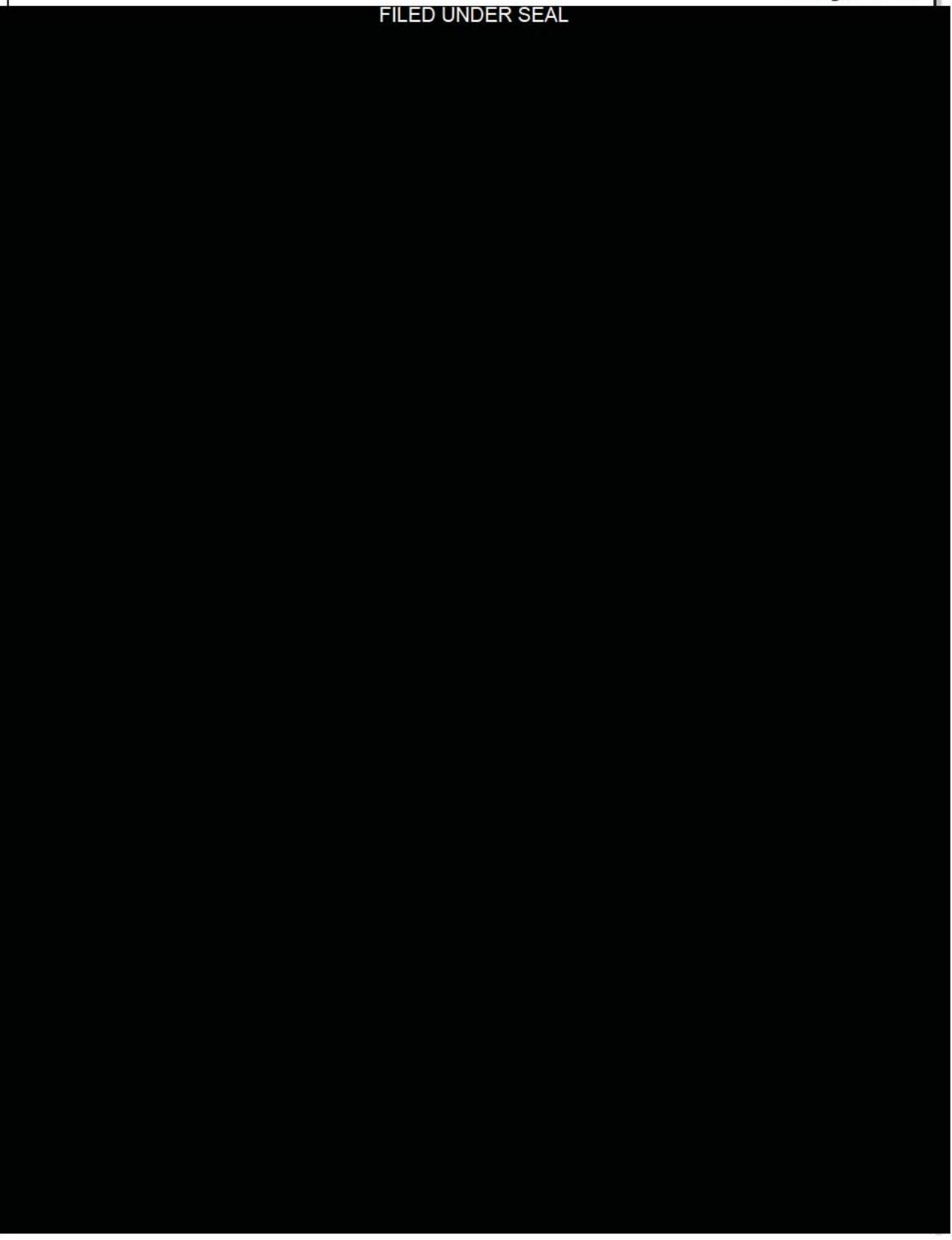
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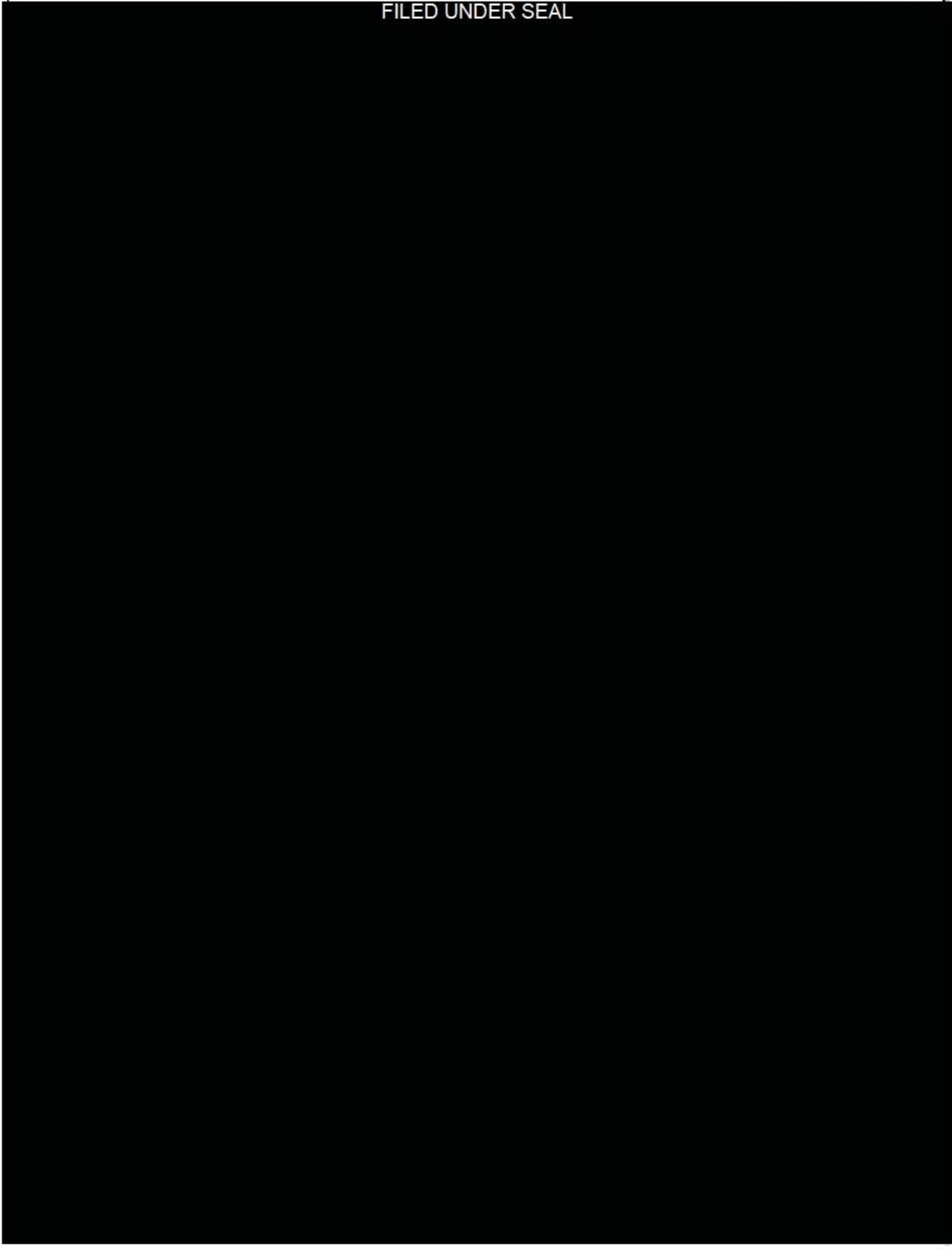
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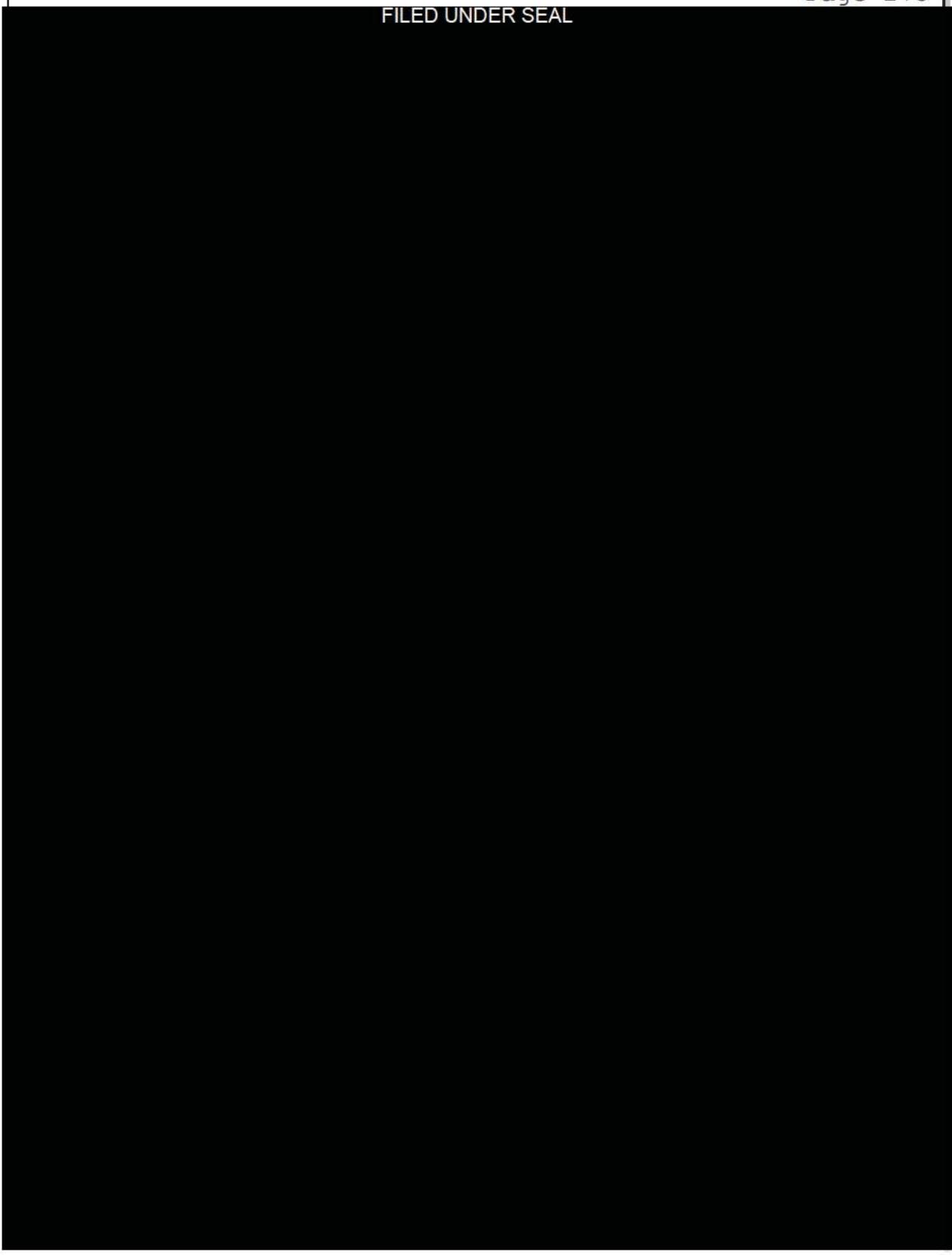
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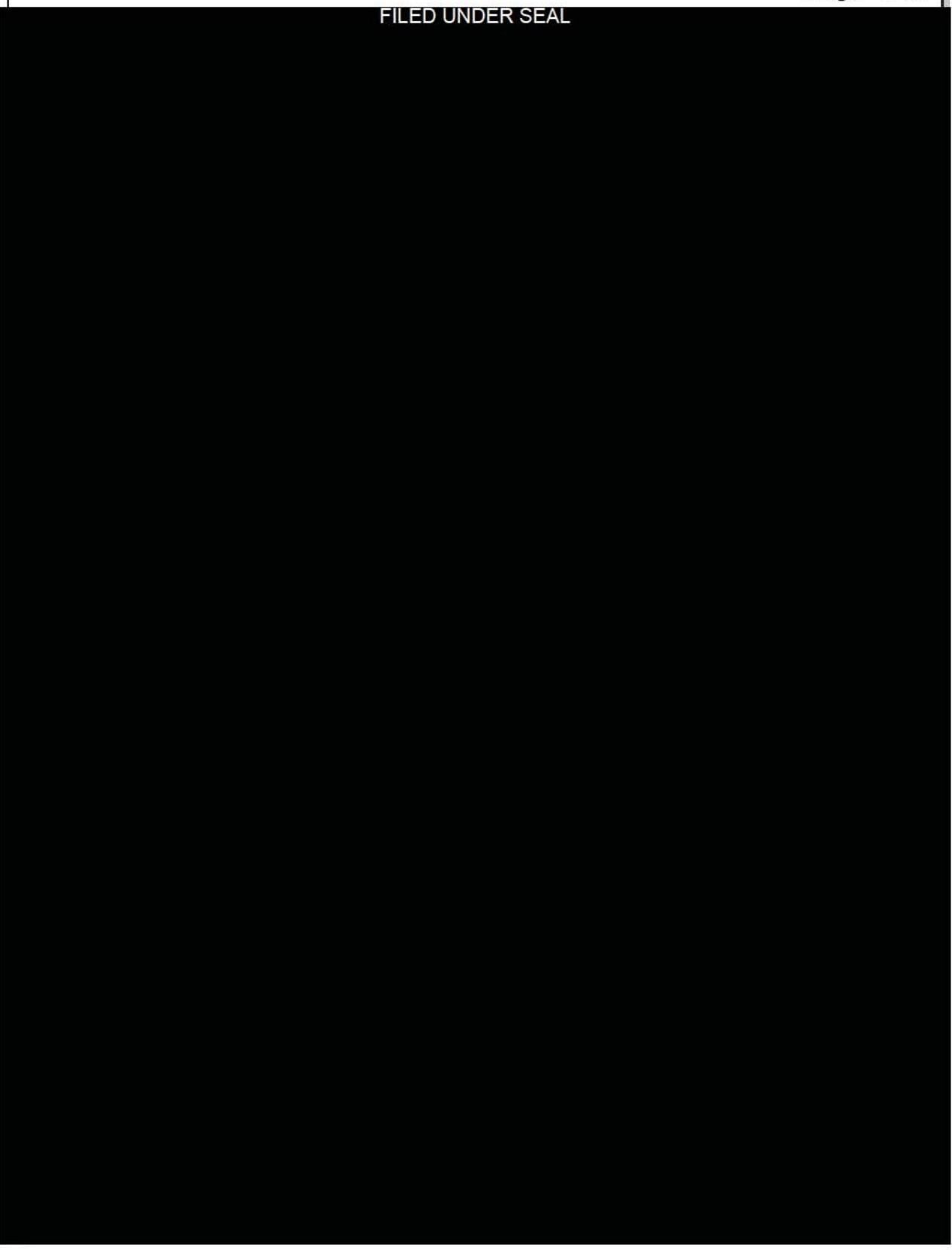
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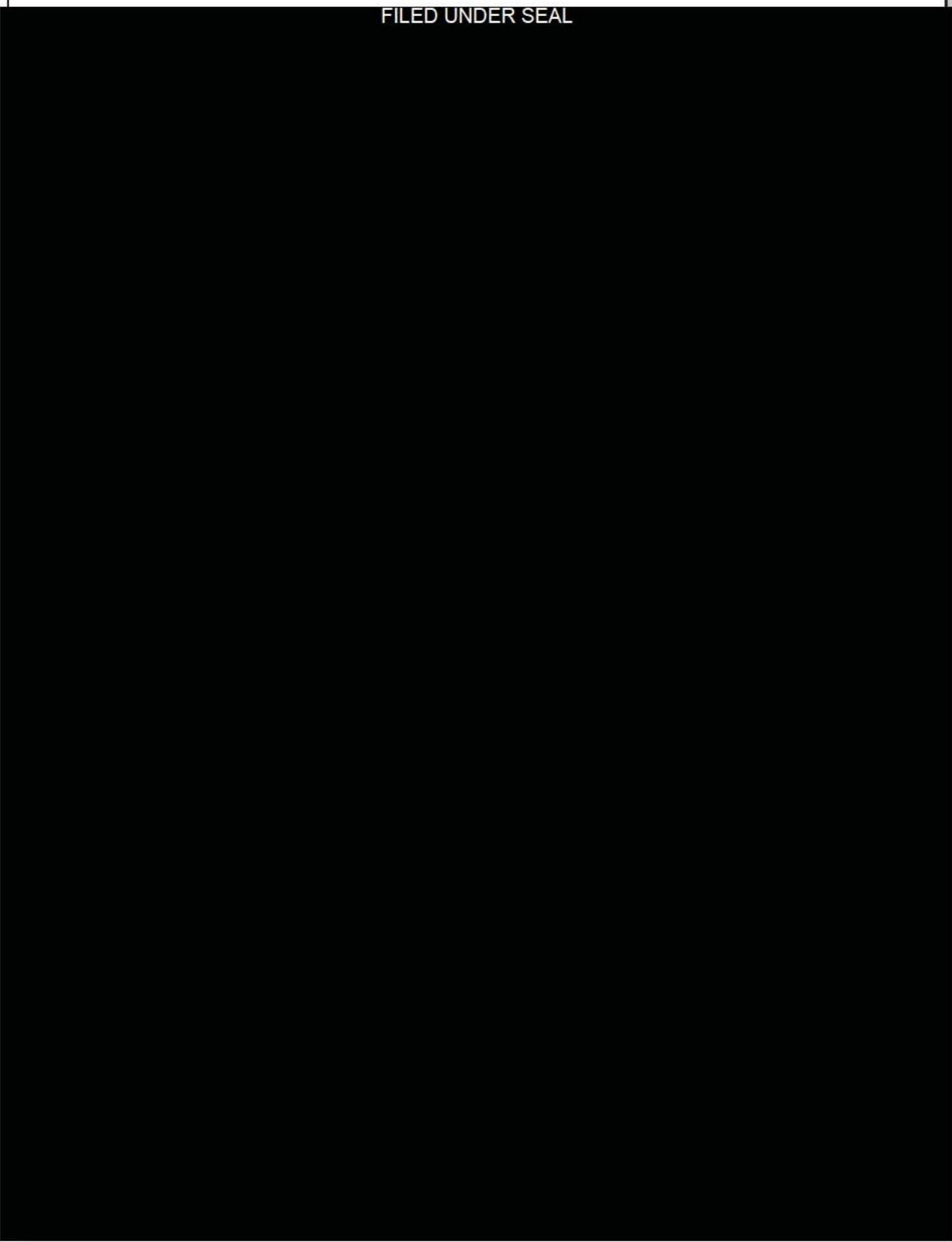
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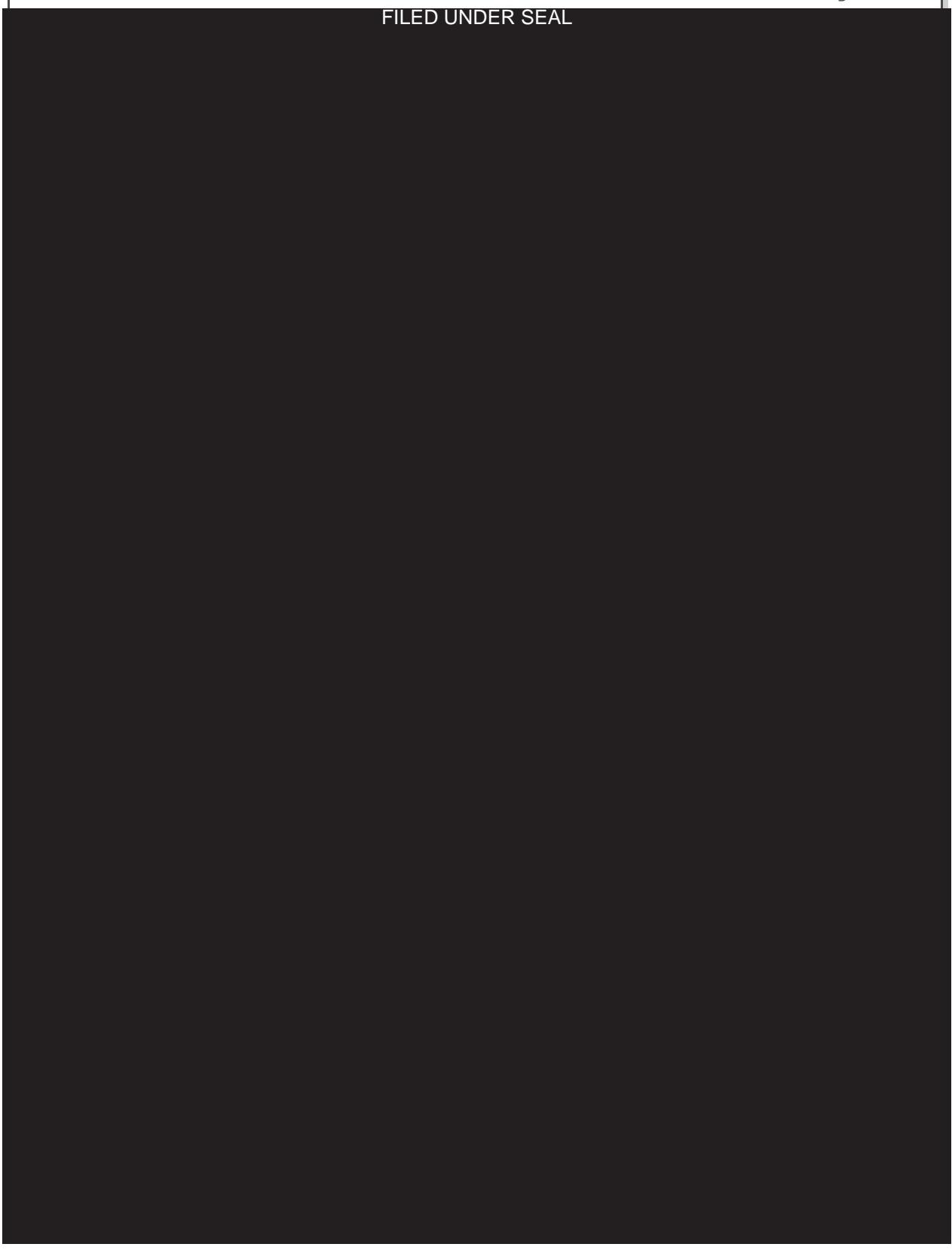


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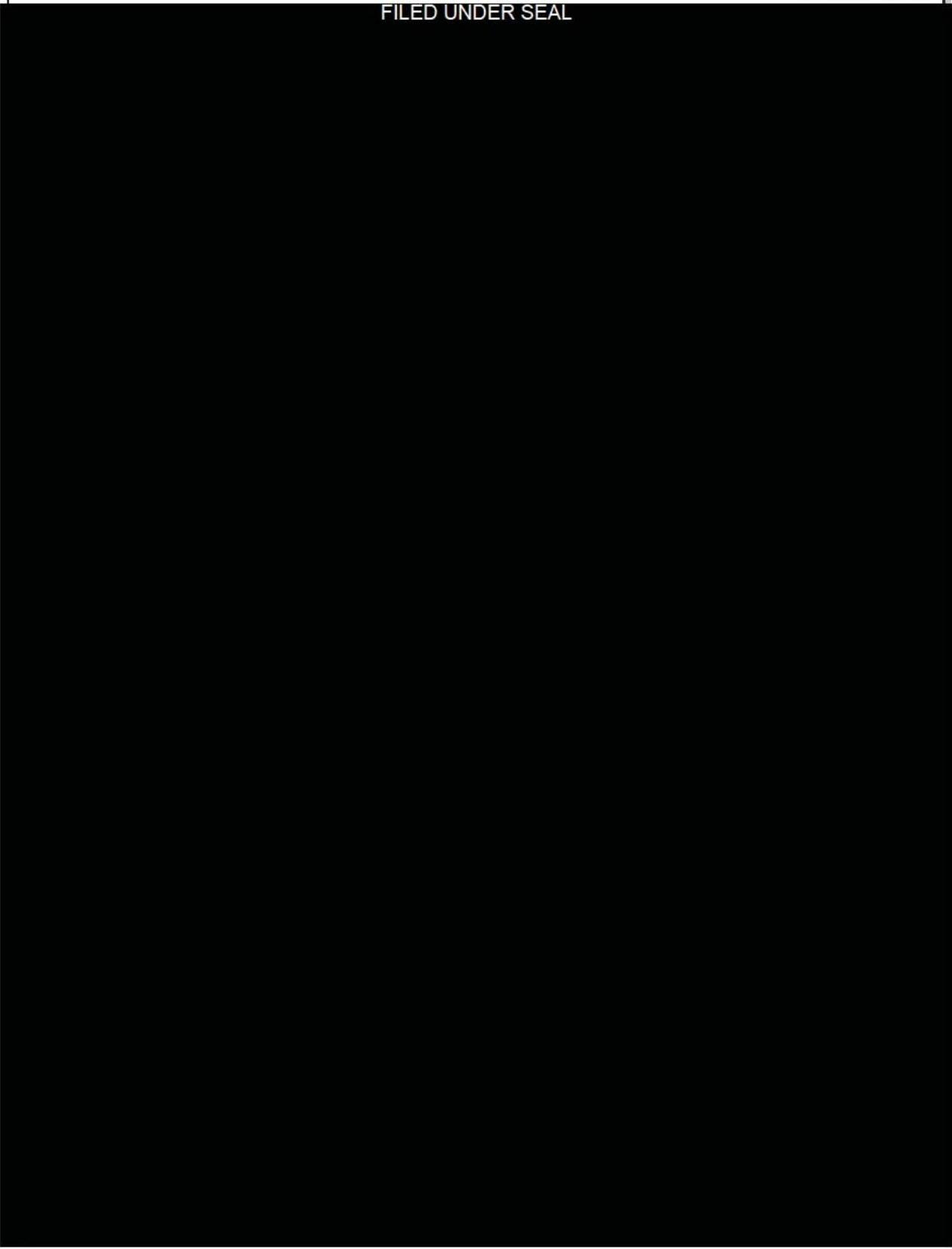
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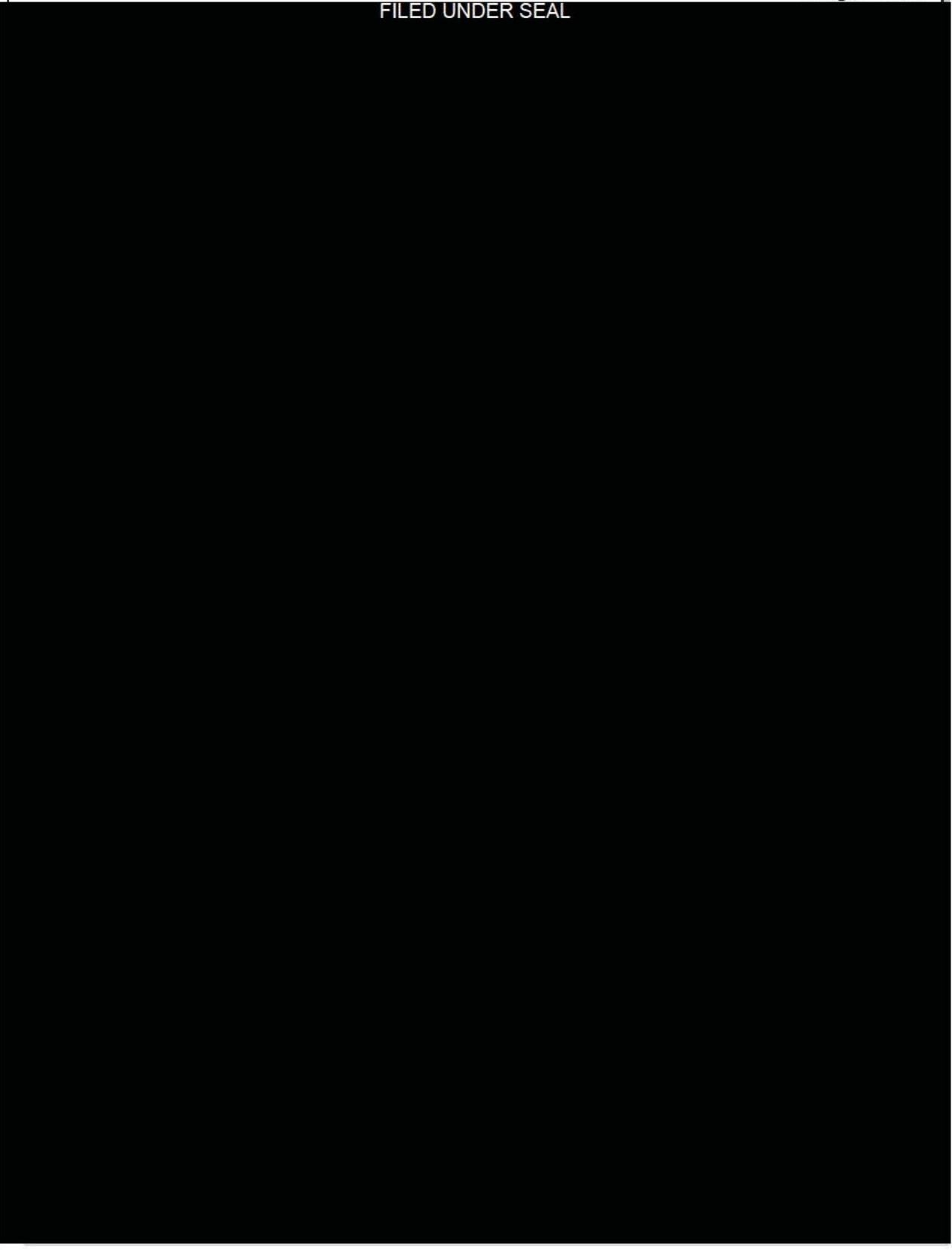
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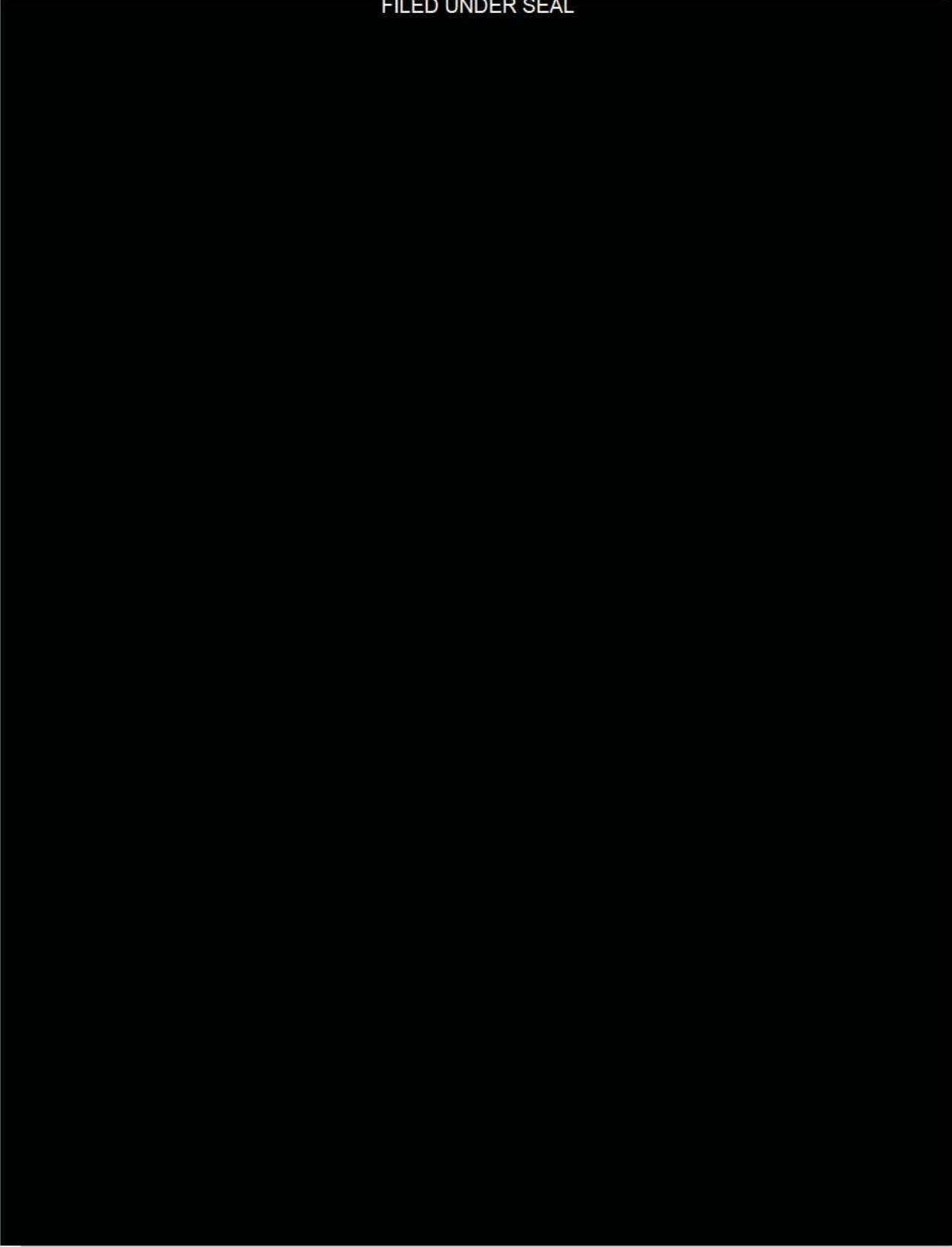
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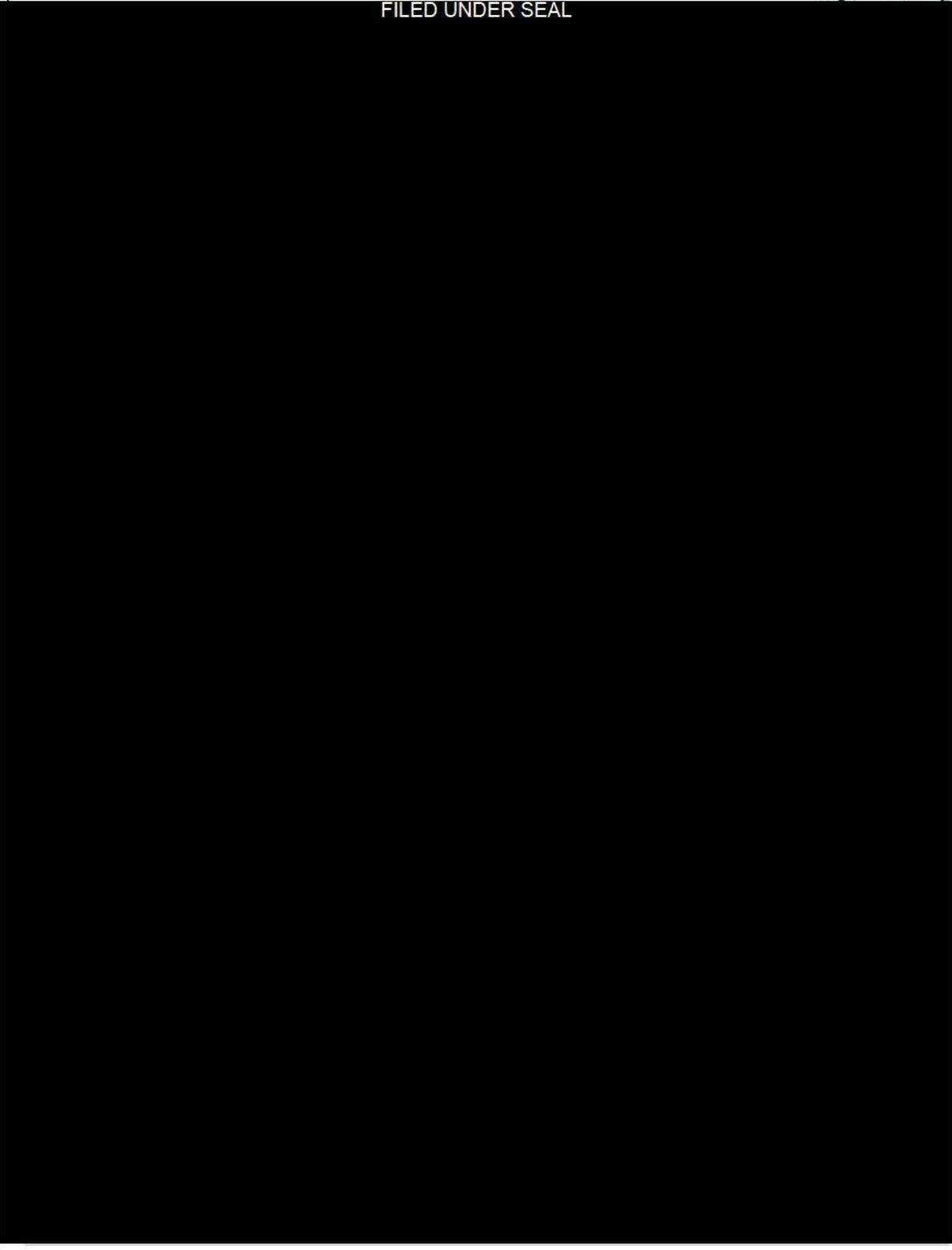
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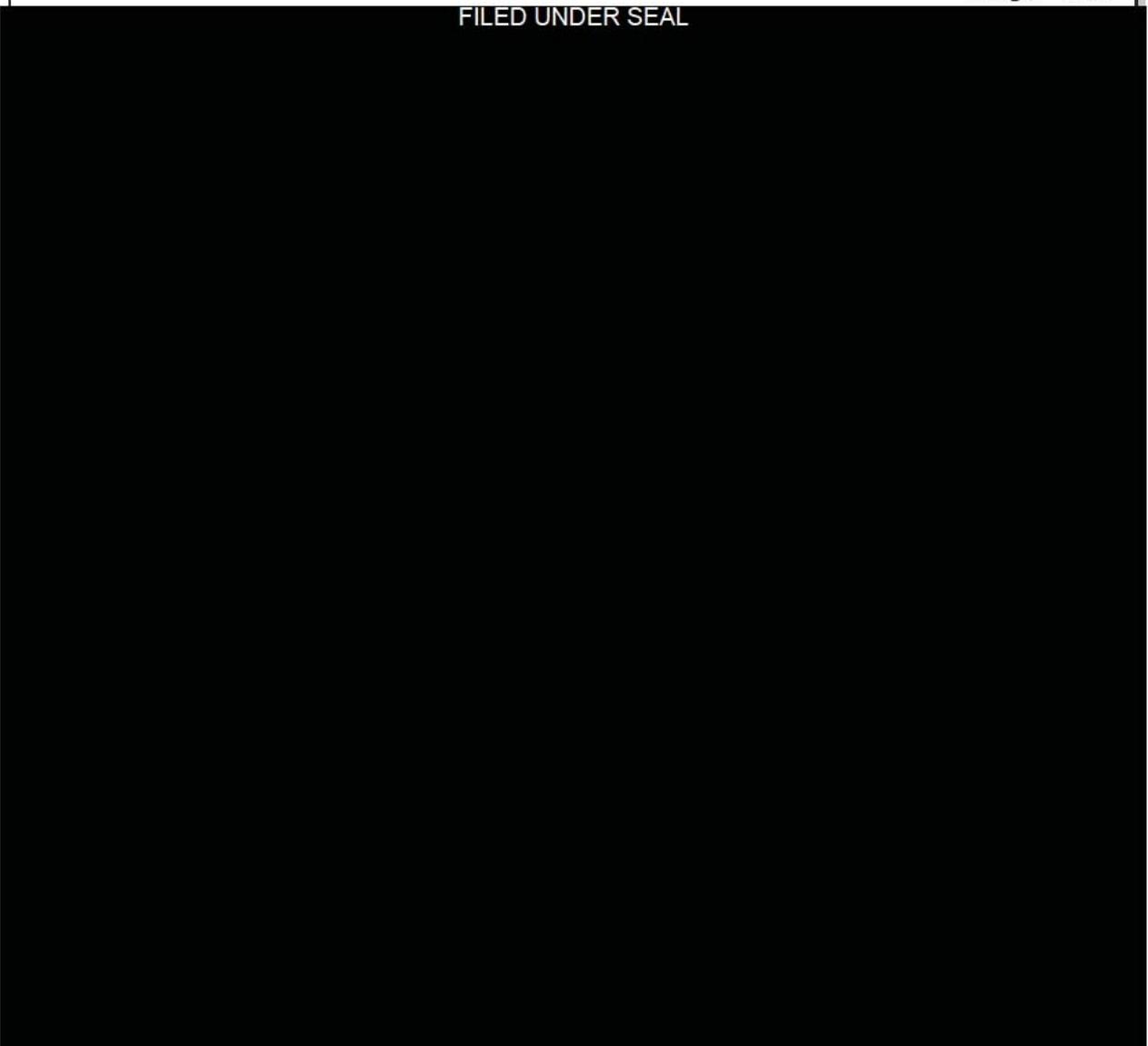
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19 (End of ATTORNEYS EYES ONLY material.)
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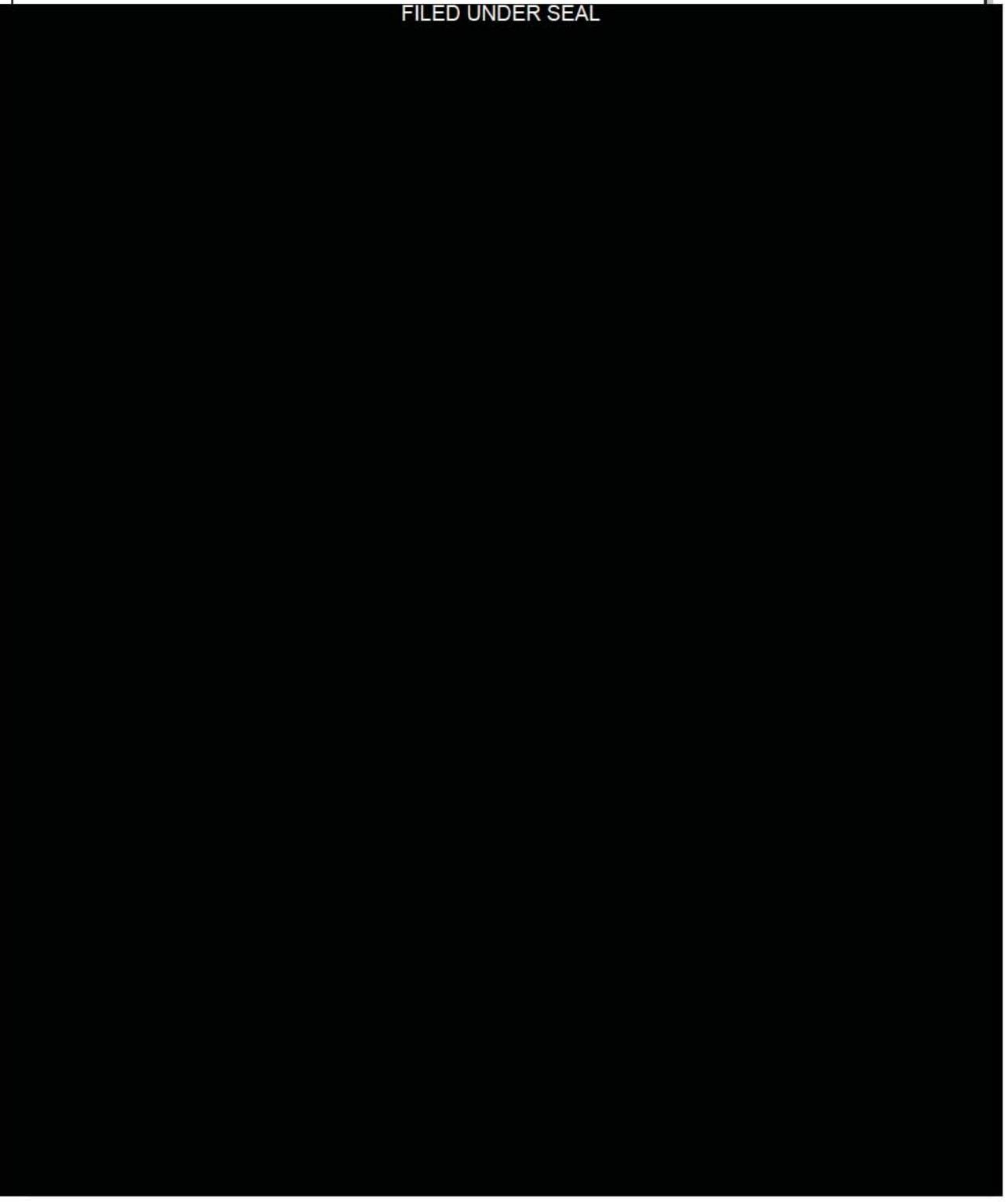
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1 . (Exhibit-36 marked.)

2 BY MS. ROOS:

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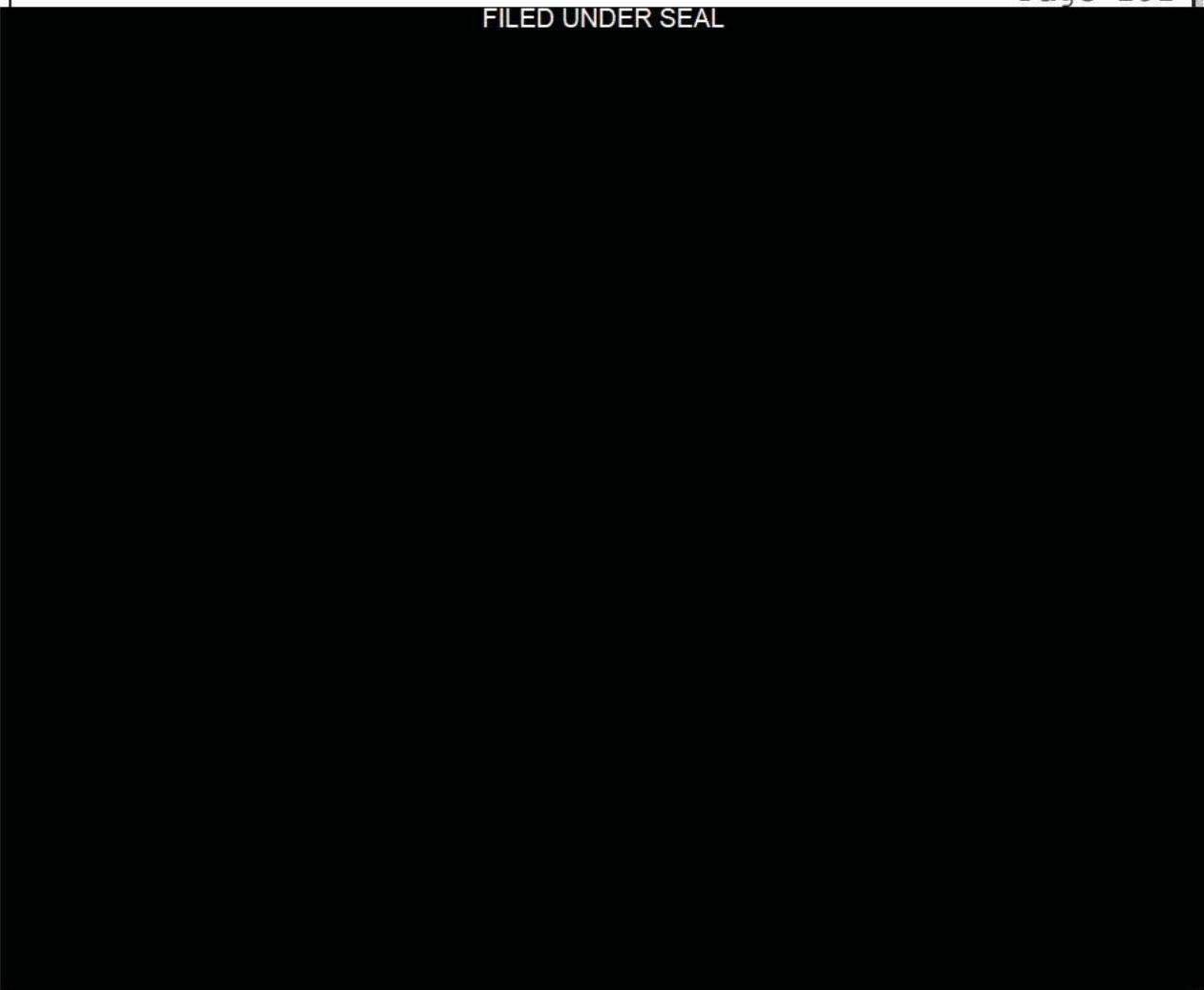
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17 (End of CONFIDENTIAL material.)
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1 . you recall how much you would have gotten paid for the
2 role that you had applied for?

3 A. No.

4 Q. So you can't tell me how much that role
5 was worth?

6 A. No.

7 Q. What about the job that you referenced
8 that Rob Lewine considered you for, the commercial
9 photo shoot?

10 A. I don't recall that amount either unless
11 it was --

12 Q. So you don't remember how much that role
13 was going to be paid?

14 A. I don't.

15 Q. We also spoke about an industrial shoot
16 that you did not receive. Do you recall how much that
17 shoot paid?

18 A. No.

19 Q. We also talked about an independent short
20 film that you did not receive. Do you recall how much
21 that was going to be paid?

22 A. No.

23 Q. If you could look back to Exhibit-1, page
24 9, page 9, Exhibit-1 is your third supplemental
25 objections and responses to defendants'

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1 interrogatories, correct?

2 A. Okay.

3 Q. We're looking at interrogatory No. 5.

4 A. Okay.

5 Q. So interrogatory No. 5 asks you to
6 identify all injuries, damages or complaints which you
7 claim to have sustained in, or as a result of,
8 defendants' identification of your birthdate; is that
9 right?

10 A. Yes.

11 Q. In your response, if you want to take a
12 minute to read through your response, is this response
13 a complete and accurate assessment of your injuries,
14 damages or complaints?

15 A. Could I read through it?

16 Q. Yes.

17 A. Okay.

18 Q. Is this a complete and accurate assessment
19 of your injuries, damages and complaints?

20 A. Pretty accurate.

21 Q. What do you mean, "pretty accurate"?

22 A. Where it says physical, mental, emotional,
23 yes, it's pretty accurate.

24 (Following material designated

25 CONFIDENTIAL.)

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5 (End of CONFIDENTIAL material.)

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1 . BY MS. ROOS:

2 Q. Anything else?

3 A. I think everything else is covered.

4 (Following material designated

5 CONFIDENTIAL.)

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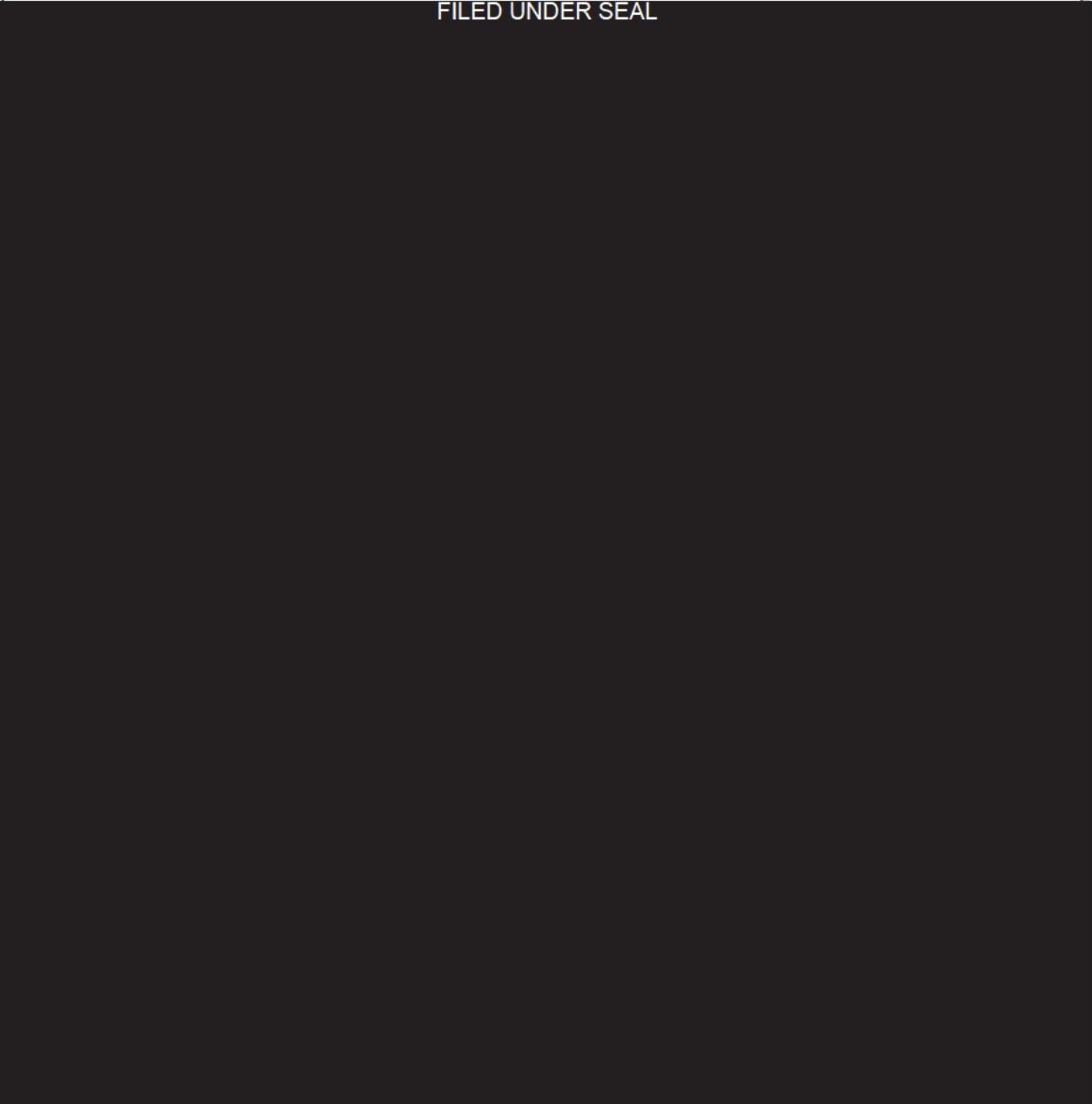
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1 . BY MS. ROOS:

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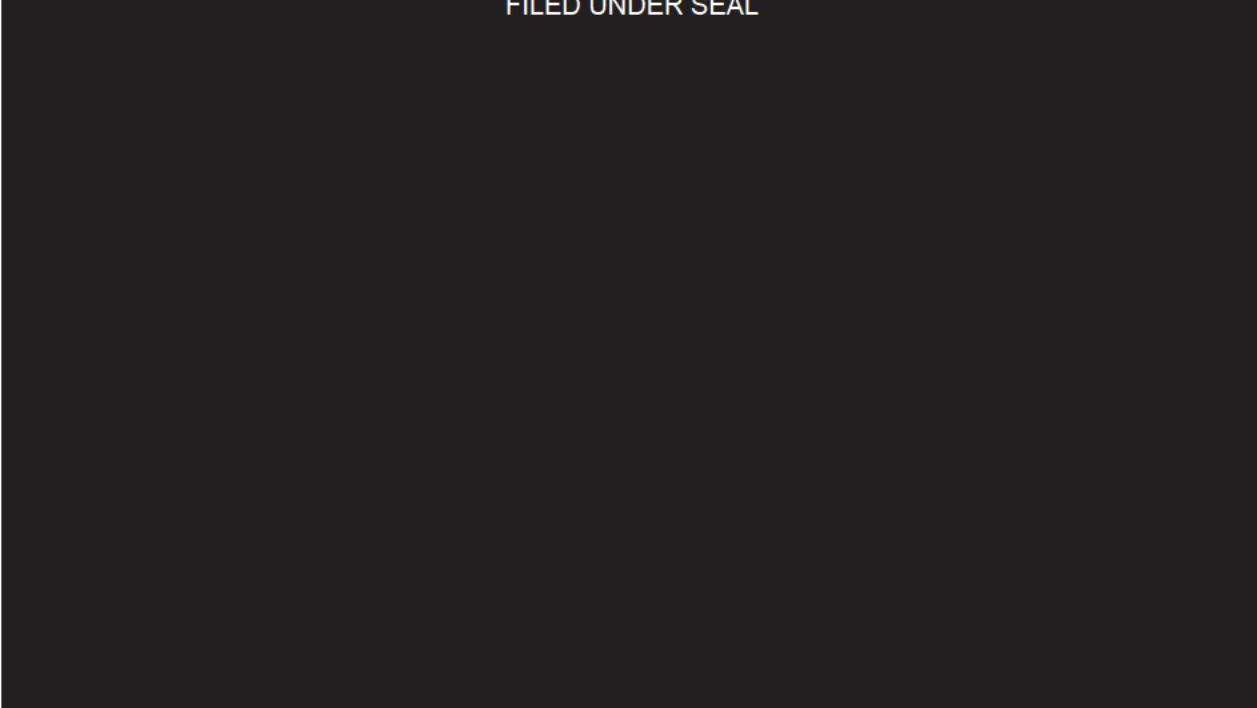
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1 . BY MS. ROOS:

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1 . BY MS. ROOS:

2 Q. Is this a document you used?

3 A. Yes.

4 Q. What is this document?

5 A. It's a record of my earnings, my jobs.

6 Q. Is this a document that you maintain as
7 you go along, or is it a document that you created for
8 purposes of your damages estimate?

9 A. It's a compilation of all my records.

10 Q. What records did you use to create this
11 document?

12 A. Well, as I would do the job, I would keep
13 a record of the job that I did. It's also a record of
14 my credits and for my tax forms.

15 Q. So you used your credits from your
16 filmography, your tax forms and this third document
17 that we haven't seen that lists how much you make for
18 each project; is that right?

19 A. Well, basically it's that document but I
20 restructured it for.

21 Q. For purposes of this?

22 A. Yes.

23 Q. But you haven't produced the underlying
24 document before it got restructured?

25 A. No. I mean, this is it. All I did was

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1 . tweak it. It's this document.

2 Q. Did you keep a copy of the old version
3 before you tweaked it?

4 A. No. This is it. Like I made the changes
5 to the document and saved it, and this is that
6 document.

7 Q. Okay.

8 A. Just all the stuff added into it.

9 Q. Before you added all the stuff, it looked
10 different?

11 A. It just didn't have my IMDb credits --

12 Q. So what did --

13 A. -- and my tax forms.

14 Q. So what did it list on there?

15 A. Everything that's not on my IMDb credit
16 and my tax forms.

17 Q. I guess I'm confused. When you say on
18 your IMDb credits, what are you referring to?

19 A. The projects that I did for these years.

20 Q. So what did the document look like before
21 you made changes to assess your damages?

22 A. It was the same thing. It's just it
23 didn't have lines, so it was just like going across and
24 I put it into a chart. So I basically just drew a
25 table for it.

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1 Q. Okay.

2 A. So --

3 Q. But it had, for example, Extreme
4 Entrepreneurs and that --

5 A. Well, that was from IMDb, so I took my
6 credits and put it in this document.

7 Q. So you didn't have all of these in the
8 list prior?

9 A. Originally, no.

10 (Following material designated
11 ATTORNEYS EYES ONLY.)

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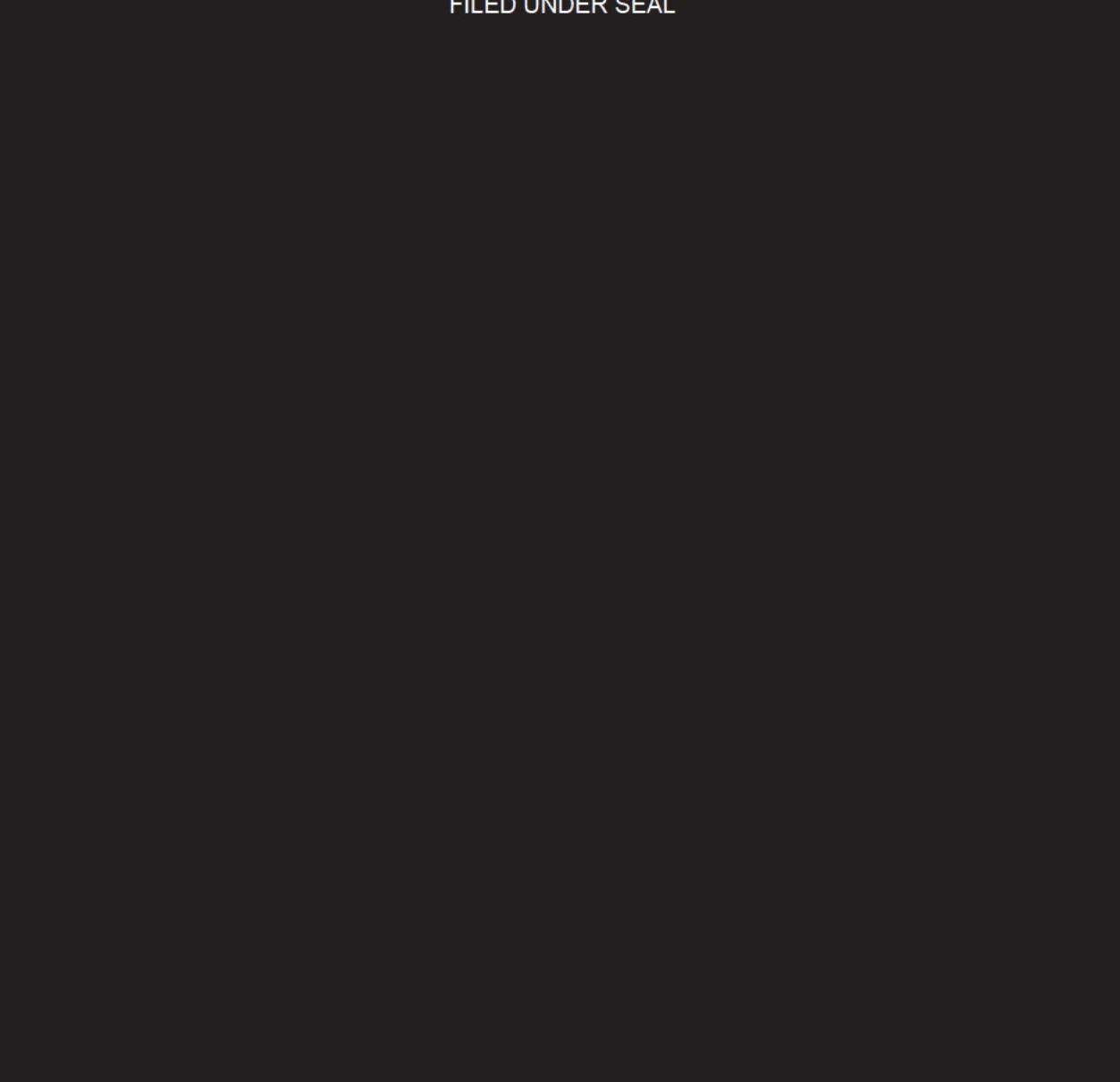
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1 . BY MS. ROOS:

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Page 319

1 . BY MS. ROOS:

2 Q. But who came up with the 620 percent
3 figure? Did you come up with that?

4 A. No, my attorneys calculated it.

5 Q. I'm going to hand you a calculator.

6 A. Okay.

7 (Following material designated
8 ATTORNEYS EYES ONLY.)

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1 . BY MS. ROOS:

2 Q. So 620 percent?

3 A. Yes.

4 (Following material designated

5 ATTORNEYS EYES ONLY.)

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1 . BY MS. ROOS:

2 Q. And that's reflected on Exhibit-38?

3 A. Yes.

4 (Following material designated

5 ATTORNEYS EYES ONLY.)

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1 . BY MS. ROOS:

2 Q. So you didn't keep any sort of chart or
3 any Word document that reflected your income before
4 then?

5 A. No.

6 (Following material designated
7 ATTORNEYS EYES ONLY.)

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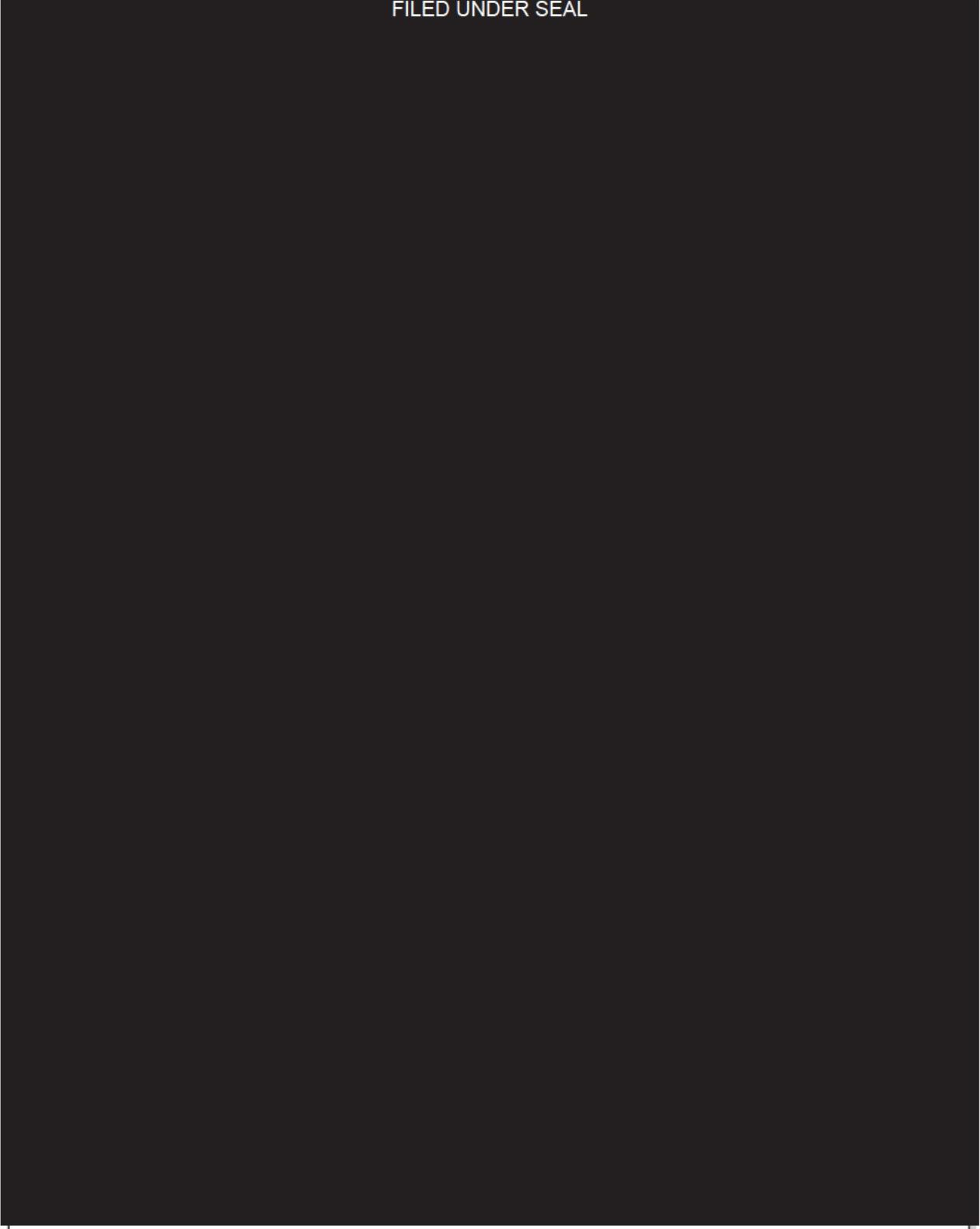
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1 . BY MS. ROOS:

2 Q. So you had another spreadsheet that you
3 used to make this calculation?

4 A. Not another spreadsheet, but it was a form
5 that I was using.

6 (Following material designated
7 ATTORNEYS EYES ONLY.)

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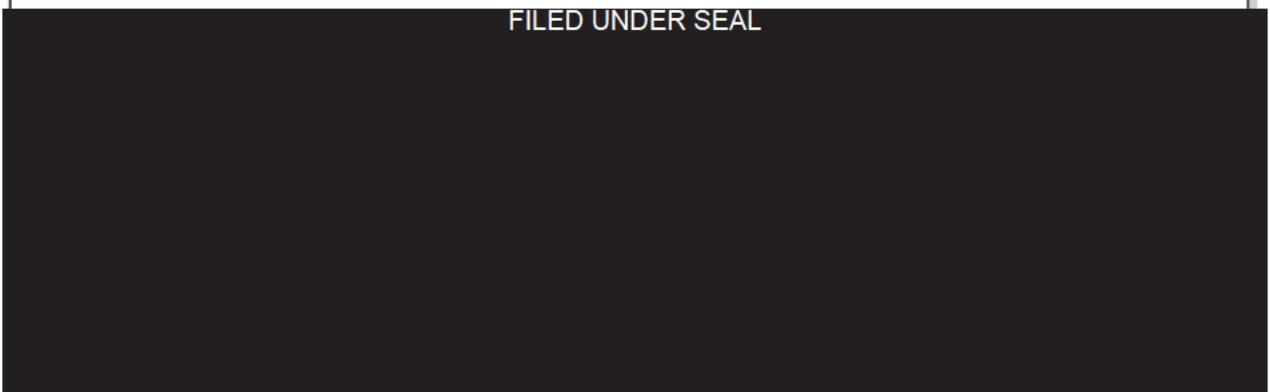
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1 . BY MS. ROOS:

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1 . BY MS. ROOS:

2 Q. Okay. So --

3 A. Off the top of my head, I just can't do it
4 right now.

5 (Following material designated

6 ATTORNEYS EYES ONLY.)

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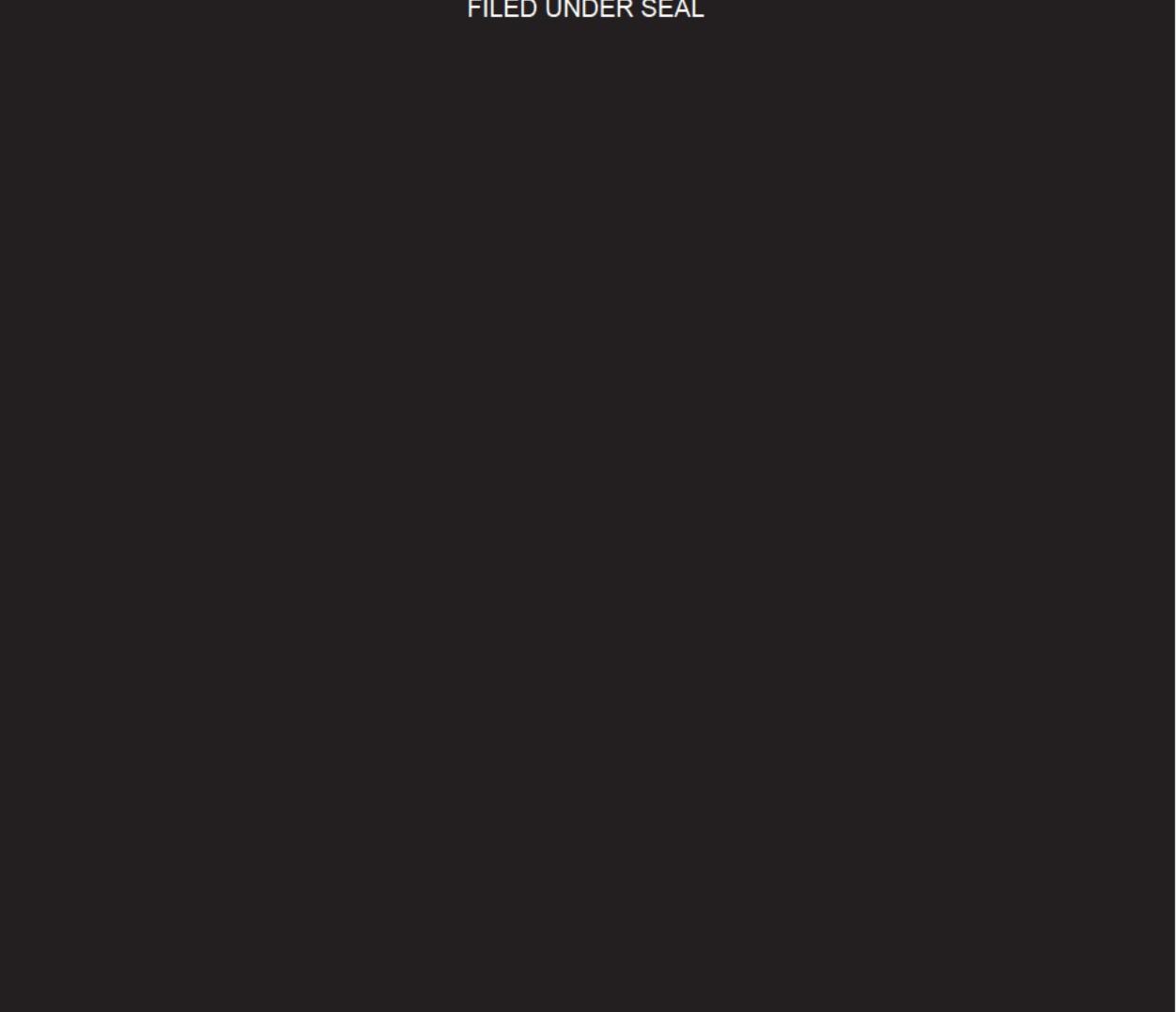
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1 . BY MS. ROOS:

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1 . BY MS. ROOS:

2 Q. You signed these responses, correct?

3 A. Yes.

4 Q. And verifying that they were true?

5 A. But I don't have the exact numbers.

6 Q. So you don't know how you calculated that?

7 A. Well, I know the formula, how I got to

8 that amount. I just don't have the exact amount to

9 give you.

10 Q. But if you know the formula and you have a
11 calculator in front of you, you could recreate what you
12 did.

13 A. If you wanted me to sit here, I could come
14 up with the numbers for you.

15 Q. Yes, I would like you to. We'll give you
16 a blank piece of paper if you'd like.

17 A. Okay.

18 (Following material designated
19 ATTORNEYS EYES ONLY.)

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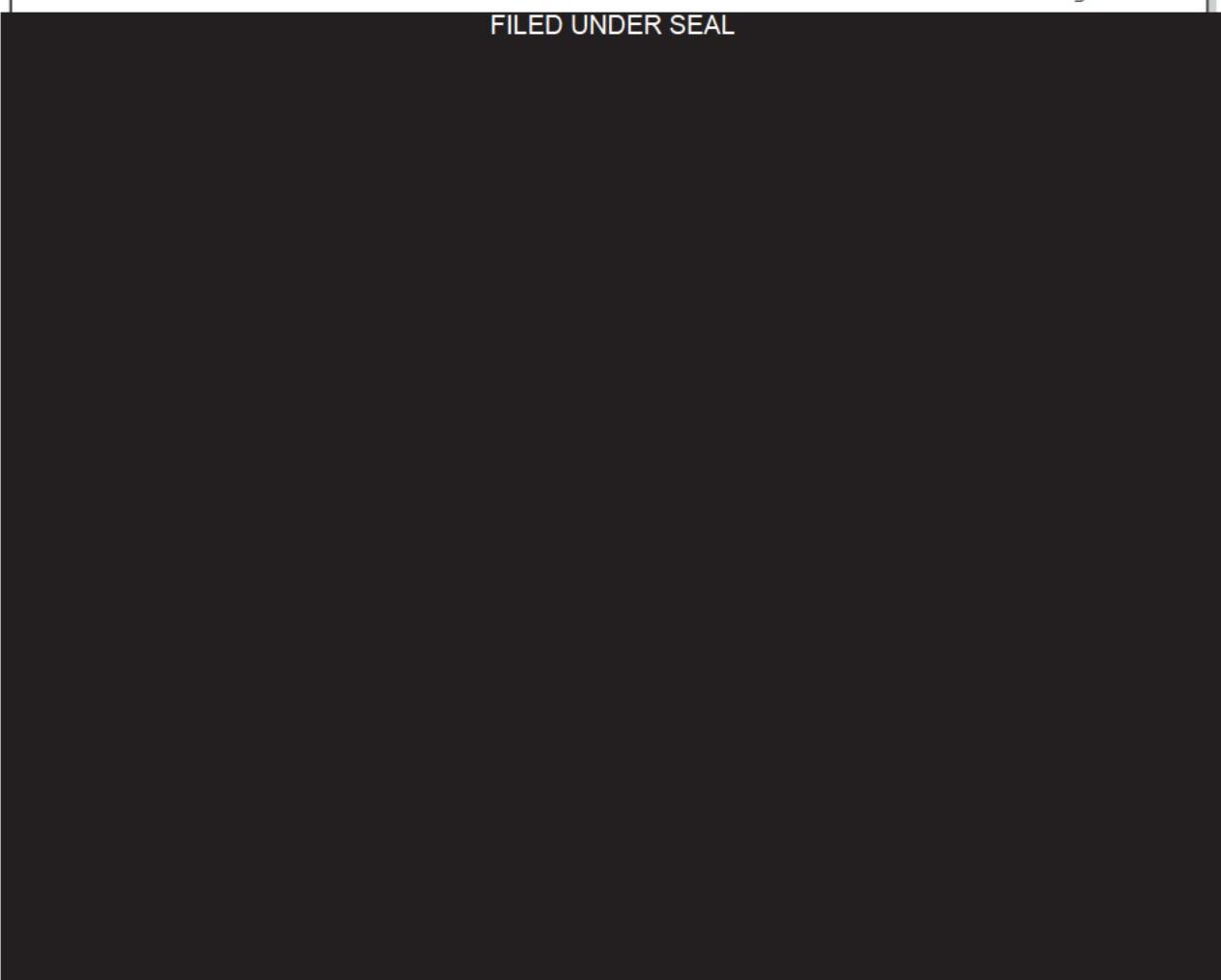
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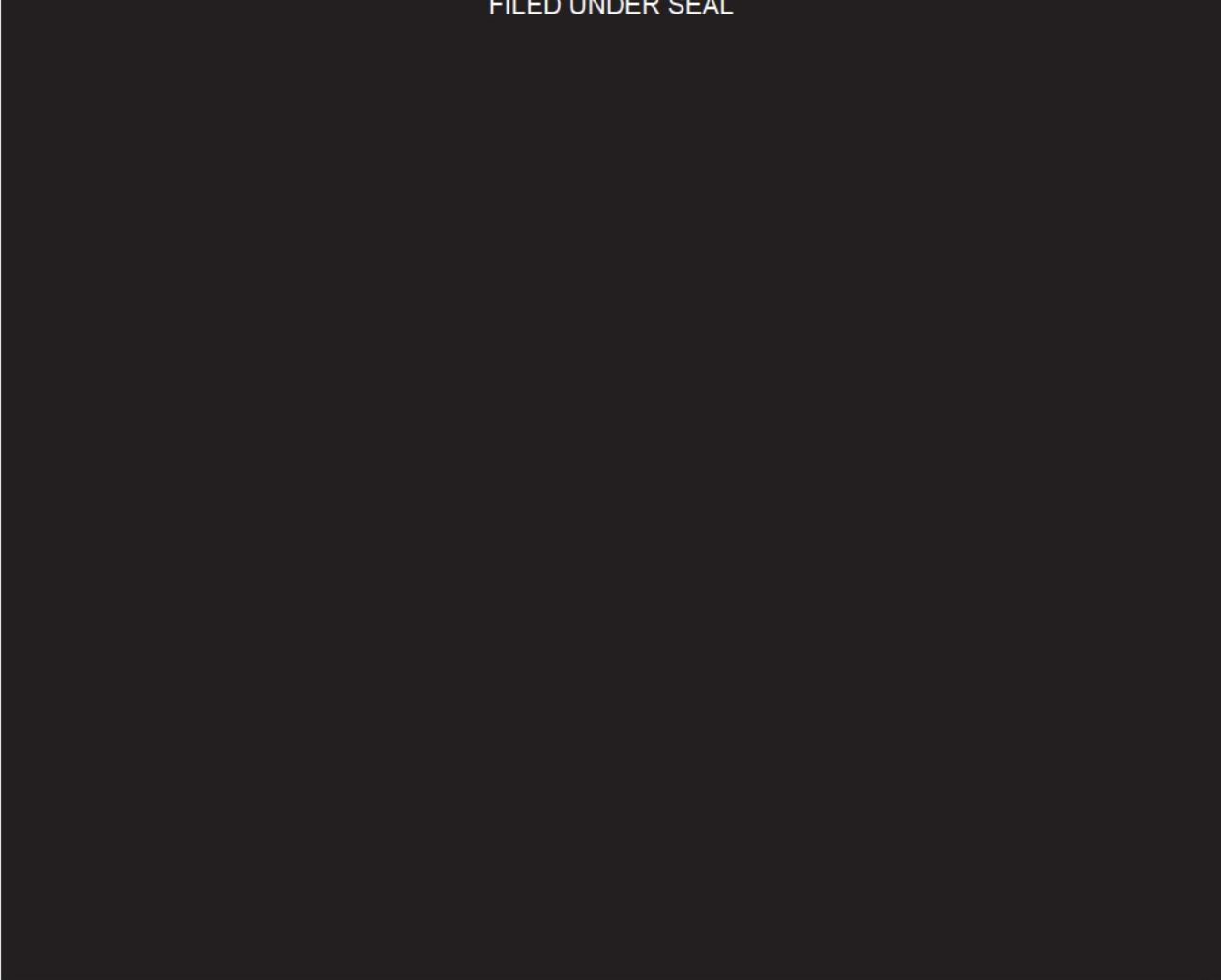
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1 . BY MS. ROOS:

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1 . BY MS. ROOS:

2 Q. But you don't know how much you would have
3 made if your birthdate hadn't been posted?

4 A. Correct.

5 (Exhibit-39 marked.)

6 Q. You mentioned you just finished filming
7 Pretty Perfect, right?

8 A. Yes.

9 Q. How much did you make for that?
10 A. Actually, that one I don't know what I
11 made on it yet.

12 Q. Okay. How is it that you've already
13 finished but you don't know?

14 A. Oh, because Greg got me that project, so I
15 just showed up and shot it, but I don't know how much
16 I'm getting. I just shot it yesterday.

17 Q. Now I want to look at Exhibit-39. What is
18 this document?

19 A. These are other jobs that I'm currently in
20 the process of dating.

21 Q. So these are jobs that you have not added
22 to Exhibit-38?

23 A. Correct, I'm dating them right now.

24 Q. And how are you in the process of dating
25 them?

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1 . BY MS. ROOS:

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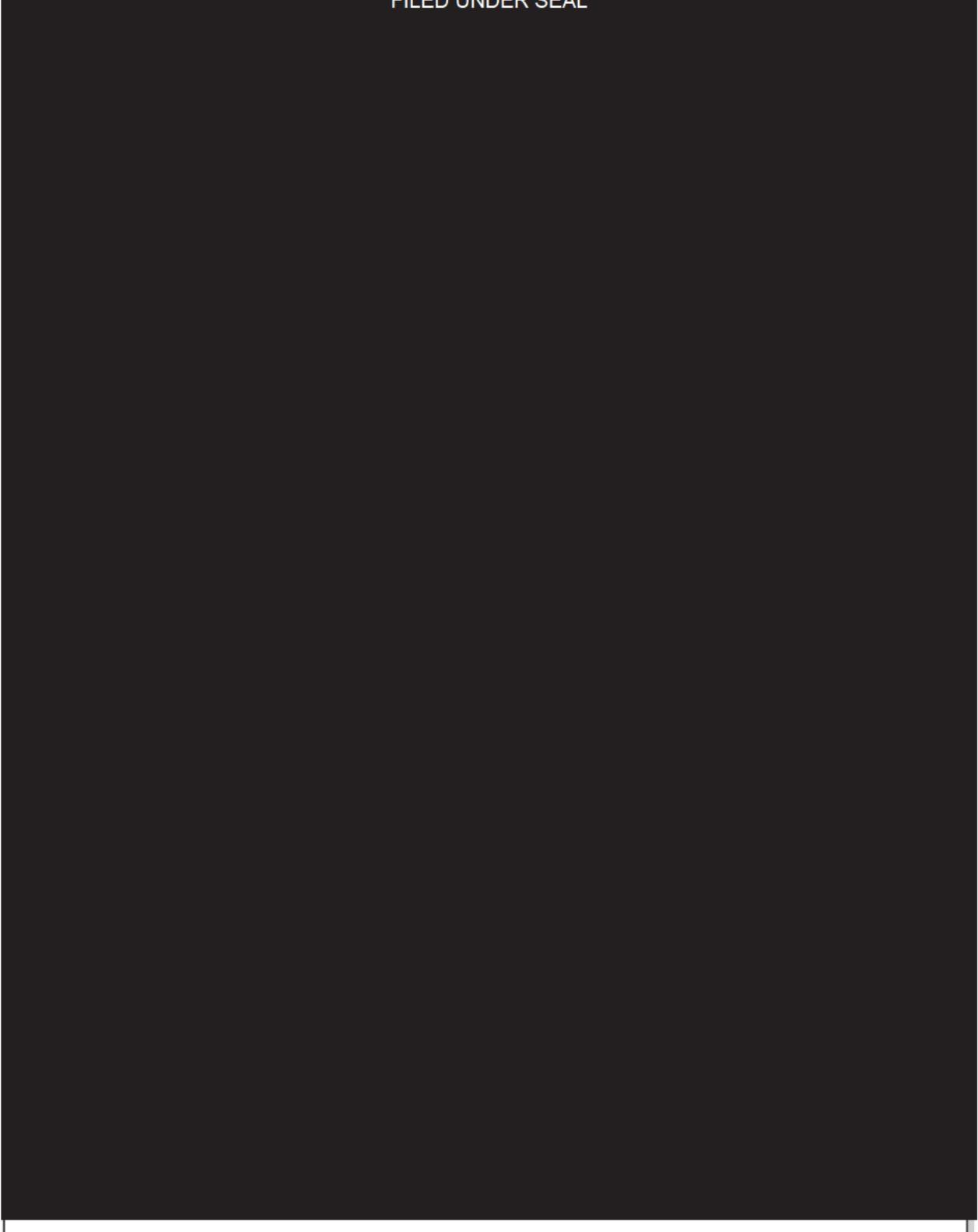


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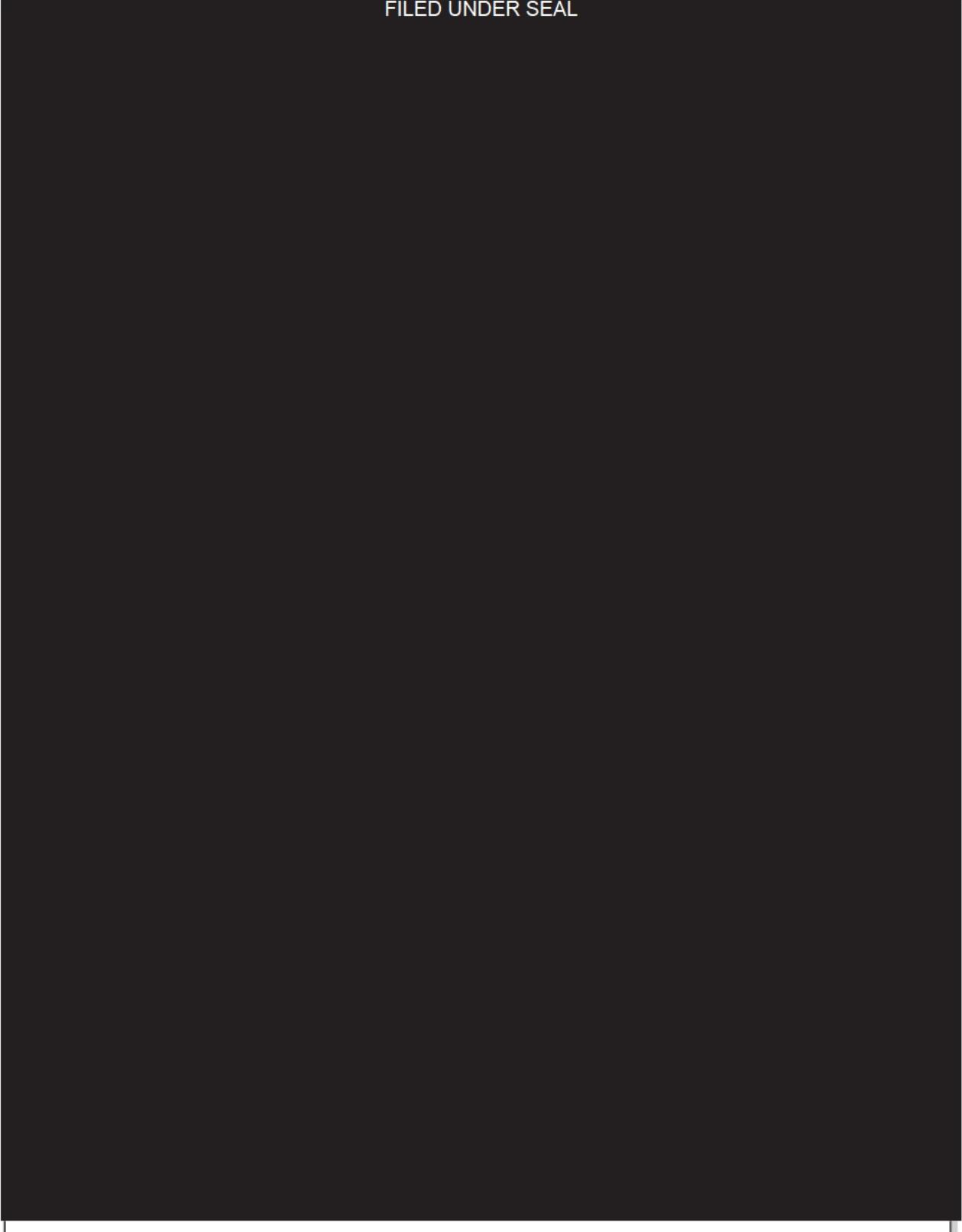
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1 . BY MS. ROOS:

2 Q. I'd like to go back to Exhibit-1, and
3 again, back to page 10, I believe. We're looking at
4 the again for the record at your response to
5 interrogatory No. 5 regarding your damages. Starting
6 at line 10, you state, "As described herein, these
7 damages will continue to accrue throughout the
8 remainder of plaintiff's acting career."

9 A. Yes.

10 Q. What's your basis for this statement?

11 A. Well, now that the date's published, it's
12 just going to keep rolling over to the next year.

13 Q. Do you have any documents that support
14 that statement?

15 A. No.

16 Q. Moving down line 24, it says, "In
17 addition, plaintiff has suffered physical, mental and
18 emotional strain as a result of defendants' actions."

19 Is that true?

20 A. Yes.

21 Q. What sort of physical strain have you
22 experienced?

23 A. Obsessing about it, losing sleep, not
24 being able to eat, stress.

25 Q. What sort of mental strain have you

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1 . experienced?

2 A. Just frustration.

3 Q. Anything else?

4 A. I guess I could be a little bit anguished
5 about the whole thing.

6 Q. What kind of emotional strain have you
7 experienced?

8 A. Worry.

9 (Following material designated
10 CONFIDENTIAL.)

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Exhibit A, Page 184

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1 . BY MS. ROOS:

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(End of CONFIDENTIAL material.)

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1 . BY MS. ROOS:

2 Q. What do you mean by that?

3 A. Since they posted my birthdate, I've been
4 stressed about it, so it's been about four years.

5 Q. But have you tried to attach a dollar
6 figure?

7 A. I don't know if I can quantify it.

8 Q. Looking at line 28, it says, "Plaintiff
9 has also suffered" -- line 26, "Plaintiff has
10 experienced severe stress and loss of sleep as a result
11 of defendants' actions."

12 When did the stress and loss of sleep
13 begin?

14 A. Pretty much right after.

15 Q. Right after what?

16 A. 2008 after it was posted.

17 Q. And then looking at line 28, "Plaintiff
18 has also suffered a severe loss to her reputation and
19 goodwill, and damages to her business and property
20 surrounding her acting career and potential acting
21 career in Hollywood and worldwide."

22 How do you know that you've suffered a
23 loss to your reputation?

24 A. Because everybody knows I'm the person
25 that's filing the lawsuit.

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1 . Q. So the loss to your reputation occurred
2 after you filed the lawsuit in your name?

3 A. Yes.

4 Q. Did you have a loss to your reputation
5 prior to January 2012?

6 A. It was loss of earnings.

7 Q. But loss to your reputation, did you have
8 a loss to your reputation prior to January 2012?

9 A. Maybe somewhat, because people see my real
10 age.

11 Q. So you think your reputation was damaged
12 because people saw your real age on IMDb?

13 A. Well, I can't submit for jobs, I mean, if
14 I try to submit for jobs that are outside of what my
15 age is.

16 (Following material designated
17 ATTORNEYS EYES ONLY.)

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1 . BY MS. ROOS:

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(End of ATTORNEYS EYES ONLY material.)

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Exhibit A, Page 188

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1 . BY MS. ROOS:

2 Q. Interrogatory number 6, this asks you to
3 identify each person with knowledge of your alleged
4 damages, and here you have listed yourself and Joe
5 Kolkowitz; is that correct?

6 A. Correct.

7 Q. Do you know of anyone else who has
8 knowledge of your damages?

9 A. Right now, it's just us two.

10 Q. So you don't know of anyone else that has
11 knowledge of your damages?

12 A. Not right now, no.

13 Q. I'm going to ask you to turn to
14 interrogatory No. 12, which is on page 12. This
15 interrogatory asks you to state all representations
16 made by defendants to you; is that right?

17 A. Yes.

18 Q. That you're rely on in this case?

19 A. Yes.

20 Q. And if you turn to the next page, there's
21 a list. So the first one on the list is, "We guarantee
22 that every transaction you make at IMDbPro will be
23 safe."

24 Where did you see that statement?

25 A. That was in their subscriber agreement.

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1 briefly.

2 THE VIDEOGRAPHER: We're going off the
3 record. The time is 4:50 p.m.

4 (Brief recess.)

5 THE VIDEOGRAPHER: We're back on the
6 record. The time is 5 p.m.

7 Q. Okay, a couple of final questions for
8 today. So you've alleged that IMDb accessed your
9 credit card information to determine your date of
10 birth, correct?

11 A. Yes.

12 Q. Do you know of any other people who have
13 encountered a similar issue with IMDb?

14 A. I have read stories from other people.

15 Q. What stories have you read?

16 A. How they think IMDb obtained their date of
17 birth.

18 Q. And who are those people?

19 A. They're just stories that I've read from
20 petitions online stories, websites.

21 Q. Have you produced any of those stories or
22 websites in discovery?

23 A. No, I didn't write any of them down.

24 Q. Do you recall any of the names?

25 A. Right off the top of my head, no.

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1 . Q. So sitting here today, you can't name any
2 particular person who has experienced a similar issue
3 with IMDb?

4 A. Well, I can name actors who have had
5 issues with their birthdates on IMDb.

6 Q. Okay, but with respect to the credit card
7 information?

8 A. No.

9 Q. Do you recall the name of any of the
10 websites that you saw these stories on?

11 A. There was one, there was -- I don't know
12 the exact website, but the key word was petition IMDb
13 online removal of ages, and people go on there and tell
14 their stories.

15 Q. So petition IMDb online removal of ages,
16 you did an online search for that?

17 A. Yes.

18 Q. Okay, but you can't recall the name of the
19 website?

20 A. No.

21 Q. Have you spoken personally with anyone who
22 has a similar story?

23 A. They had no way of proving it so they
24 can't confirm.

25 Q. Have you spoken with anyone who has a